

Standing Appropriations Bill Senate File 510

Last Action:

FINAL ACTION

June 5, 2015

An Act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for regulatory, taxation, and properly related matters, and including penalties and effective date and retroactive and other applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at: <http://www.legis.iowa.gov/LSAReports/noba.aspx>

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FUNDING SUMMARY

Funding Summary: Senate File 510 makes adjustments to various General Fund standing appropriations and results in a net decrease in appropriations of \$31.3 million for FY 2016 and \$19.5 million for FY 2017. The Bill also includes multiple provisions that result in an estimated net increase in General Fund revenues of \$11.4 million for FY 2016 and \$12.8 million for FY 2017.

The attached spreadsheet shows the standing appropriations adjusted by SF 510.

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Limits the General Fund appropriations to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$417,000 for FY 2016 and \$208,000 for FY 2017. Page 2, Line 8

Limits the General Fund appropriations to the Department of Education for nonpublic school transportation to \$8.6 million per year for FY 2016 and FY 2017. Page 2, Line 12

Limits the General Fund appropriations to the Department of Revenue for tobacco reporting enforcement to \$18,000 for FY 2016 and \$9,200 for FY 2017. Page 2, Line 19

Suspends the General Fund standing appropriation of \$14.8 million for the Instructional Support Program for FY 2016 and FY 2017. Page 2, Line 43

Reduces the FY 2016 standing appropriation for the Legislative Branch by \$4.2 million. Page 3, Line 6

Reduces the FY 2016 State school aid funding to area education agencies (AEAs) by \$15.0 million. Page 3, Line 33

Increases funding for Judicial Branch salaries and operational costs by \$7.2 million for FY 2016 and allocates \$520,000 for Juvenile Drug Courts. Page 7, Line 30

Permits State Appeal Board claims to be paid from the Economic Emergency Fund beginning in FY 2016. Under current law, State Appeal Board claims are paid from the General Fund. This change will shift an estimated \$3.0 million currently budgeted in the General Fund for FY 2016 and FY 2017 to the Economic Emergency Fund. Page 25, Line 22

Transfers moneys from the IowAccess Revolving Fund to the Homestead Credit Fund in an amount sufficient to pay homestead credit claims in FY 2016 for certain disabled veterans. Page 72, Line 21

FISCAL IMPACT: It is estimated that \$950,000 to \$1.5 million will be transferred from the IowAccess Revolving Fund in FY 2016 to the Homestead Credit Fund to cover increased homestead credit claims for disabled veterans.

STUDIES AND INTENT

Permits a community college to enter into a new jobs training agreement with an employer that had an agreement in effect in April 2012 with a base of 2,125 employees. Page 4, Line 3

FISCAL IMPACT: This is estimated to reduce General Fund revenue by \$488,000 in FY 2016 and \$112,000 in FY 2017.

Permits salary adjustment to be funded from revolving, trust, or special funds for FY 2016 and FY 2017, as long as the funding does not exceed the operating budgets established by the General Assembly. Page 9, Line 5

Requires the salary model administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various departments to submit salary data to the Department of Management (DOM) and the LSA. Page 9, Line 12

SIGNIFICANT CODE CHANGES

Requires State agencies to submit FY 2017 and FY 2018 budget information to the DOM and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the LSA concerning the provision of support data. Page 1, Line 10

Permits any unobligated funds in the Anatomical Gift Public Awareness Fund to be used for grants to recipients of organ transplants. Page 3, Line 16

Allows any unobligated funds from the FY 2016 General Fund appropriations for the Iowa Online Learning Initiative to carry forward and remain available for expenditure for the next two fiscal years. Page 4, Line 15

Requires the Revenue Estimating Conference (REC) to hold one of its three meetings in March of each year and to provide a revenue estimate for two years beyond the current fiscal year in progress at the March meeting. Page 4, Line 22

Permits the county commissioner of elections to require precinct election officials to utilize digital images to Page 5, Line 29

compile write-in reports for delivery to the county's special precinct board for tallying rather than requiring delivery of the physical ballots.

Provides that a sealed container of beer is not considered an open container if it remains unopened, the seal has not been tampered with, and the contents of the container have not been partially removed.

Page 6, Line 3

Requires the Department of Education to dedicate a minimum of 0.5 FTE position to maintain a fine arts consultant.

Page 6, Line 13

Specifies that individuals applying for a grant through the Teach Iowa Scholar Program and that meet eligibility requirements on or after January 1, 2013, are eligible to receive a grant award. Persons that met the requirements prior to January 1, 2013, are ineligible for the Program.

Page 6, Line 23

Specifies that the amount of sales tax collected for flood mitigation projects in Dubuque County will not be reduced if the additional federal financial assistance does not reduce the need for sales tax revenue due to an increase in project costs that were incurred after the project was approved. Specifies that remittances of sales tax revenue to a governmental entity as part of the Flood Mitigation Program are permissible after the expiration of the entity's 20-year project approval if the remittances are based on sales that occurred prior to the expiration.

Page 6, Line 30

Extends the sunset provision of the Property Assessment Appeal Board (PAAB) from January 1, 2018, to January 1, 2021. Also permits a property owner to bypass the PAAB and appeal an assessment completed by the local board of review directly to district court.

Page 7, Line 13

Expands the definition of "victim" for the purpose of qualifying for an identity theft passport that may be issued by the Crime Victim Assistance Division (CVAD) of the Office of the Attorney General.

Page 7, Line 25

Amends language in SF 505 (Health and Human Services Appropriations Bill) relating to Medicaid payment methodologies for disproportionate share hospitals and graduate medical education.

Page 8, Line 20

Provides numerous nonsubstantive corrective provisions to the Iowa Code and 2015 Iowa Acts.

Page 9, Line 34

Eliminates the requirements that the DOM assist the Director of the Iowa Economic Development Authority (IEDA) with the Iowa Targeted Small Business Procurement Act and that the DOM perform oversight and impose sanctions in connection with State programs emphasizing equal opportunity through affirmative action, contract compliance policies, and procurement set-aside requirements.

Page 19, Line 22

Establishes rules adopted by the Environmental Protection Commission regarding small animal truck wash facilities. Page 20, Line 24

Removes the requirement that court be held in Avoca in Pottawattamie County. Page 24, Line 17

Extends the contribution deadline of the Iowa Educational Savings Plan Trust (College Savings Iowa) from December 31 to April 30 of the respective tax year. Page 24, Line 25

FISCAL IMPACT: This is estimated to reduce General Fund revenue by \$488,000 in FY 2016 and \$112,000 in FY 2017.

Specifies that the Renewable Fuel Infrastructure Program can be used for projects that store and dispense E-15 blended gasoline for at least the time period of September 16 to May 31 of each year. Page 25, Line 1

Requires the Iowa Economic Development Authority to administer internships related to small and medium sized firms and students studying in the field of Science, Technology, Engineering, and Mathematics (STEM) in a similar manner. The matching portion of the Internship Program is provided on a reimbursement basis and the match is 50.0% of the intern's wage. Page 26, Line 12

Provides for the enactment of the Interstate Medical Licensure Compact to create an expedited licensing reciprocity procedure for physicians licensed in member states. The Compact will become effective and binding when enacted by at least seven states. Page 27, Line 38

Makes various changes to the Entrepreneur Investment Awards Program administered by the IEDA, and includes extending the Program grants that were to sunset on June 30, 2014. Page 44, Line 39

Permits the IEDA to enter into an agreement for a Housing Enterprise Tax Credit for certain housing businesses. The provision related to a Housing Enterprise Tax Credit is effective on enactment and applies retroactively to July 1, 2014. Page 47, Line 14

Changes the way debt will be collected by eliminating the Central Collections Unit participation in collections and assigning all court debt to a private debt collector after 30 days. County attorneys will continue to have cases assigned to them after 60 days if the debt has not been placed in a payment plan with the private debt collector. Page 48, Line 10

FISCAL IMPACT: It is estimated that this change will increase General Fund revenues by \$12.0 million in FY 2016 and \$13.0 million in FY 2017 with increased collections. The impact on the County Attorney

collection efforts is estimated by the Judicial Branch to be minimal. Division XXVII of this Bill reduces these revenues by depositing \$2.0 million per year in the Judicial Officer Compensation Fund.

Requires the Department of Public Health to regulate residential swimming pools used for private swimming lessons as a residential swimming pool used for commercial purposes if the residential swimming pool is used for private swimming lessons for up to 270 hours per month, or the number of hours prescribed by local ordinance, whichever is greater.

Page 52, Line 20

Limits the statewide enrollment of pupils in internet instruction to no more than 0.18% of statewide enrollment and no more than 1.0% of a district's enrollment unless the limitation will prevent siblings from enrolling in the same school district or a district determines online instruction will suit the needs of a physically or emotionally fragile student. Exceptions to the limitations expire June 30, 2018. Requires the Department of Education to annually collect certain data on student performance in online instruction. The data must be included in the Department's annual report to the General Assembly. School districts that provide online instruction must comply with certain requirements.

Page 52, Line 35

Requires a health insurance carrier to provide prospective and current enrollees, licensed insurance producers, and the general public with clear and understandable information regarding matters of coverage, coinsurance, prescription drugs, physician network, and out-of-pocket costs.

Page 55, Line 16

Amends the duties of the Director of the Department of Revenue to identify and prevent the issuance of fraudulent and erroneous tax refunds.

Page 57, Line 24

FISCAL IMPACT: This is estimated to result in an annual net revenue increase of \$2.3 million to the General Fund.

Amends Angel Investor Tax Credit Programs and includes the Venture Capital Tax Credit and the Qualifying Business or Community-Based Seed Capital Fund Tax Credit.

Page 58, Line 16

Modifies the tax credit calculation and approval process for the Workforce Housing Tax Incentives Program.

Page 63, Line 33

Permits the IEDA to extend a project completion date for projects awarded tax incentives under the Redevelopment Tax Credit Program and the Housing Enterprise Zone Tax Incentives Program if a property suffered a catastrophic fire during calendar year 2014. This provision is effective retroactively to agreements entered into on or after July 1, 2010.

Page 65, Line 10

Enhances the penalty for a felony human trafficking conviction to a forcible felony. Requires the Crime

Page 65, Line 41

Victim Assistance Division (CVAD) of the Office of the Attorney General to cooperate with other governmental and nonprofit agencies to develop and conduct outreach, public awareness, and training programs related to related to human trafficking for certain populations. Transfers the FY 2015 ending balance in the Mortgage Servicing Settlement Fund, estimated at \$626,000, to the newly created Human Trafficking Enforcement Fund. Any funds remaining at the end of FY 2020 are transferred to the General Fund. The Bill also permits the Attorney General to use up to \$300,000 per year from the Victim Compensation Fund to provide training to professionals concerning victim services, homicide, domestic violence, sexual assault, stalking, harassment, and human trafficking.

Prohibits a State agency from beginning a project using condemned land without approval of the preliminary or final route or project site of a public improvement by the governing body.

Page 67, Line 39

Prohibits the number of acres of land acquired using condemnation for the creation of a lake in Clarke County from exceeding the number of acres necessary to provide the needed drinking water.

Page 69, Line 41

Requires alternative sources of water to be reviewed within Clarke County prior to the condemnation of property for the purpose of creating a lake that will be used as a surface drinking water source.

Page 70, Line 29

Creates the Judicial Officer Compensation Fund for the purpose of enhancing the compensation of judicial officers. Transfers \$2.0 million per year from the proceeds collected from judicial fines to the Judicial Officer Compensation Fund. Under current law, this revenue is deposited in the General Fund. The Bill requires the annual salary rate for a judicial officer to remain at the rate established by 2013 Iowa Acts, chapter 140, until otherwise provided by the General Assembly.

Page 71, Line 33

FISCAL IMPACT: This provision will reduce General Fund revenue by \$2.0 million annually beginning in FY 2016.

EFFECTIVE DATE

Provides that the Division in this Bill pertaining to the Iowa Education Savings Plan Trust applies retroactively to January 1, 2015.

Page 24, Line 41

Provides that the Division of this Bill pertaining to internships related to small and medium sized firms and students studying in the field of Science, Technology, Engineering, and Mathematics (STEM) is effective on enactment and applies retroactively to July 1, 2014.

Page 27, Line 33

Provides that the Division of this Bill pertaining to the House Enterprise Tax Credit is effective on

Page 48, Line 5

enactment and applies retroactively to July 1, 2014.

Provides that the Division of this Bill pertaining to residential swimming pools is effective on enactment.

Page 52, Line 32

Provides that the Division of this Bill pertaining to Online Learning is effective on enactment and applies retroactively to June 30, 2015, if approved by the Governor on or after July 1, 2015.

Page 55, Line 10

Provides that the Division of this Bill pertaining to the Angel Investor Tax Credit is effective on enactment.

Page 63, Line 12

Provides that the Division of this Bill pertaining to the Workforce House Tax Incentives Program is effective on enactment and applies retroactively to May 30, 2014.

Page 65, Line 3

Provides that the Division of this Bill pertaining to Economic Development Program Changes is effective on enactment and applies retroactively to agreements entered into on or after July 1, 2010, and for which a request for extension was submitted on or after January 1, 2015.

Page 65, Line 32

Provides that the Division of this Bill pertaining to human trafficking is effective on enactment and applies retroactively to June 30, 2015, if approved by the Governor on or after July 1, 2015.

Page 67, Line 29

Provides that the Division of this Bill pertaining to the sale of unused property previously condemned is effective on enactment.

Page 69, Line 31

Provides that this Division pertaining to the condemnation of land for the creation of a lake in Clarke County is effective on enactment.

Page 70, Line 26

Provides that this Division pertaining to the condemnation of land for the identifying alternative water sources in Clarke County is effective on enactment.

Page 71, Line 27

Provides that the Division of this Bill pertaining to the Disabled Veteran Homestead Credit only takes effect if HF 616 (Tax Policy Bill) is enacted, and provides this Division apply retroactively to March 5, 2015.

Page 72, Line 40

Provides that if the Governor approves this Bill on or after July 1, 2015, the Bill takes effect upon enactment applies retroactively to July 1, 2015.

Page 73, Line 2

Senate File 510 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
3	16	6	Amend	142C.15.4.c
3	33	7	Add	257.35.9A
4	22	10	Amend	8.22A.2
5	2	11	Amend	8D.4
5	18	12	Amend	22.7.41.b.(2)
5	29	13	Amend	43.45.3
6	3	14	Amend	123.132.3
6	13	15	Add	256.9.66
6	23	16	Add	261.110.3.c
6	30	17	Amend	418.9.8
7	5	18	Amend	418.15.1
7	13	19	Amend	441.37A.1.a
7	25	20	Amend	715A.9A.1.a
9	36	26	Amend	123.122
10	4	27	Amend	227.10
10	28	28	Amend	227.14
10	40	29	Amend	229.1B
11	7	30	Amend	229.2.1.b.(3)
11	21	31	Amend	229.8.1
11	37	32	Amend	229.10.1.a
12	11	33	Amend	229.11.1
12	40	34	Amend	229.13.1.a
13	6	35	Amend	229.14.2.a
13	16	36	Amend	229.14A.7
13	25	37	Amend	229.42.1
14	13	38	Amend	230.1.3
14	23	39	Amend	230.20.2.b
14	36	40	Amend	279.10.1
15	21	41	Amend	426B.5.2.c
16	3	42	Amend	459A.302.1.a
16	16	43	Amend	459A.302.2.a
16	23	44	Amend	459A.404.3.b,c
16	41	45	Amend	459A.411
17	9	46	Amend	476.53.3.a.(1)
18	5	47	Amend	602.3205.3.b
18	11	48	Amend	602.11113
18	20	49	Amend	714.23.4A.a
18	34	50	Amend	902.1.2.a
18	41	51	Amend	916.1.1
19	24	54	Strike	8.6.12,13
19	26	55	Add	8A.111.11
19	31	56	Amend	19B.6
20	3	57	Amend	19B.7.1
20	13	58	Amend	19B.8
20	26	59	Amend	459A.105.2.b
20	41	60	Amend	459A.206.1
21	6	61	Amend	459A.206.2.c
21	26	62	Amend	459A.207.1.a
21	35	63	Amend	459A.302

Senate File 510 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
21	42	64	Amend	459A.302.1.a
22	12	65	Amend	459A.302.1.a.(1),(2)
22	30	66	Amend	459A.302.2,3,4,5
23	37	67	Amend	459A.302.6
23	43	68	Amend	459A.302.7
24	12	69	Add	459A.404.1.0e
24	19	70	Amend	602.6105.2
24	27	72	Amend	422.7.32.a
25	3	74	Amend	159A.14.1.a.(1)
25	24	75	Amend	8.55.3.a
25	33	76	Add	8.55.3.0e
25	39	77	Amend	25.2.4
26	14	78	Amend	15.411.3
27	40	82	New	148G.1
44	41	83	Strike and Replace	15E.362
47	8	84	Amend	15E.363.3
48	12	89	Amend	321.40.9
48	42	90	Amend	321.210A.2
49	9	91	Amend	321.210B.1,3,8,9,11,14
50	25	92	Amend	602.8107.1
50	39	93	Amend	602.8107.3
52	3	94	Strike	602.8107.4.g
52	5	95	Amend	602.8107.5.a
52	14	96	Strike and Replace	602.8107.5.e
52	37	99	Amend	256.7.32.c
55	18	102	New	514K.2
56	16	103	New	514K.3
57	26	105	Amend	421.17.23
58	18	107	Amend	2.48.3.d.(1)
58	23	108	Amend	15.119.2.d
58	31	109	Strike and Replace	15E.41
58	39	110	Add	15E.42.2A
59	4	111	Amend	15E.42.3
59	11	112	Strike	15E.42.4
59	13	113	Amend	15E.43.1,2
60	36	114	Amend	15E.43.5,7
61	7	115	Strike	15E.43.6,8
61	9	116	Strike and Replace	15E.44.2.c
61	20	117	Amend	15E.44.2.e,f
61	33	118	Amend	15E.46
62	14	119	Amend	15E.52.4
62	23	120	Amend	422.11F.1
62	30	121	Amend	422.33.12.a
62	36	122	Amend	422.60.5.a
62	42	123	Amend	432.12C.1
63	5	124	Repeal	15E.45
63	35	129	Amend	15.354.3.e
64	33	130	Amend	15.355.2
65	13	133	Amend	15.293B.4

Senate File 510 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
65	43	137	Amend	702.11.1
66	6	138	New	710A.6
66	19	139	Amend	915.94
67	42	144	Amend	6B.2C
68	10	145	Amend	6B.56.1
68	28	146	Amend	6B.56.2.a
69	8	147	Amend	6B.56A.1
69	43	151	Amend	6A.22.2.c.(1).(b)
70	31	153	Add	6A.22.2.c.(1).(0b)
71	35	156	Amend	602.1302.1
72	1	157	New	602.1515

1 8 DIVISION I
 1 9 STANDING APPROPRIATIONS AND RELATED MATTERS

1 10 Section 1. BUDGET PROCESS FOR FISCAL YEAR 2016-2017 AND
 1 11 FISCAL YEAR 2017-2018.

1 12 1. For the budget process applicable to the fiscal year
 1 13 beginning July 1, 2016, on or before October 1, 2015, in lieu
 1 14 of the information specified in section 8.23, subsection 1,
 1 15 unnumbered paragraph 1, and paragraph "a", all departments and
 1 16 establishments of the government shall transmit to the director
 1 17 of the department of management, on blanks to be furnished by
 1 18 the director, estimates of their expenditure requirements,
 1 19 including every proposed expenditure, for the ensuing fiscal
 1 20 year, together with supporting data and explanations as called
 1 21 for by the director of the department of management after
 1 22 consultation with the legislative services agency.

CODE: Requires State agencies to submit FY 2017 and FY 2018 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) concerning the provision of support data.

DETAIL: The budget information specified in this Bill is in lieu of the budget requirements specified in Iowa Code chapter 8.

1 23 2. The estimates of expenditure requirements shall be
 1 24 in a form specified by the director of the department of
 1 25 management, and the expenditure requirements shall include all
 1 26 proposed expenditures and shall be prioritized by program or
 1 27 the results to be achieved. The estimates shall be accompanied
 1 28 by performance measures for evaluating the effectiveness of the
 1 29 programs or results.

Requires budgeted expenditures to be prioritized by program or by expected results, and requires performance measures to be included with the budget information.

2 1 Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 2 2 2015-2016. Notwithstanding the standing appropriations
 2 3 in the following designated sections for the fiscal year
 2 4 beginning July 1, 2015, and ending June 30, 2016, the amounts
 2 5 appropriated from the general fund of the state pursuant to
 2 6 these sections for the following designated purposes shall not
 2 7 exceed the following amounts:

2 8 1. For operational support grants and community cultural
 2 9 grants under section 99F.11, subsection 3, paragraph "d",
 2 10 subparagraph (1):
 2 11 \$ 416,702

CODE: Limits the FY 2016 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$416,702.

DETAIL: This maintains the current level of funding as FY 2015, but represents a decrease of \$103,298 compared to the standing appropriation of \$520,000 specified in statute. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

2 12 2. For payment for nonpublic school transportation under
 2 13 section 285.2:
 2 14 \$ 8,560,931
 2 15 If total approved claims for reimbursement for nonpublic

CODE: Limits the FY 2016 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931. Requires the appropriation to be prorated if the claims exceed the appropriation.

2 16 school pupil transportation exceed the amount appropriated in
 2 17 accordance with this subsection, the department of education
 2 18 shall prorate the amount of each approved claim.

DETAIL: This maintains the same level of funding as FY 2015, but represents a decrease of \$1,400,000 compared to the estimated standing appropriation of \$9,960,931 specified in current law.

2 19 3. For the enforcement of chapter 453D relating to tobacco
 2 20 product manufacturers under section 453D.8:
 2 21 \$ 18,416

CODE: Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$18,416 for FY 2016.

DETAIL: This maintains the current level of funding as FY 2015, but represents a decrease of \$6,584 compared to the standing appropriation of \$25,000 specified in statute.

2 22 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 2 23 2016-2017. Notwithstanding the standing appropriations
 2 24 in the following designated sections for the fiscal year
 2 25 beginning July 1, 2016, and ending June 30, 2017, the amounts
 2 26 appropriated from the general fund of the state pursuant to
 2 27 these sections for the following designated purposes shall not
 2 28 exceed the following amounts:

2 29 1. For operational support grants and community cultural
 2 30 grants under section 99F.11, subsection 3, paragraph “d”,
 2 31 subparagraph (1):
 2 32 \$ 208,351

Limits the FY 2017 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$208,351.

DETAIL: This is a decrease of \$311,649 compared to the estimated standing appropriation of \$520,000 and represents 50.00% of the amount appropriated for FY 2016. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

2 33 2. For payment for nonpublic school transportation under
 2 34 section 285.2:
 2 35 \$ 8,560,931
 2 36 If total approved claims for reimbursement for nonpublic
 2 37 school pupil transportation exceed the amount appropriated in
 2 38 accordance with this subsection, the department of education
 2 39 shall prorate the amount of each approved claim.

Limits the FY 2017 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931. Requires the appropriation to be prorated if the claims exceed the appropriation.

DETAIL: This maintains the same level of funding as provided in FY 2016. This represents a decrease of \$1,400,000 compared to the estimated standing appropriation of \$9,960,931 specified in current law.

2 40 3. For the enforcement of chapter 453D relating to tobacco
 2 41 product manufacturers under section 453D.8:
 2 42 \$ 9,208

Limits the FY 2017 General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$9,208.

DETAIL: This is a decrease of \$9,208 compared to the FY 2016 appropriation, and a decrease of \$15,792 compared to the \$25,000 standing appropriation specified in statute.

2 43 Sec. 4. INSTRUCTIONAL SUPPORT STATE AID — FY 2015-2016
 3 1 — FY 2016-2017. In lieu of the appropriation provided in
 3 2 section 257.20, subsection 2, the appropriation for the fiscal
 3 3 years beginning July 1, 2015, and July 1, 2016, for paying
 3 4 instructional support state aid under section 257.20 for such
 3 5 fiscal years is zero.

Suspends the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2016 and FY 2017.

DETAIL: The Program also received no funding in FY 2015. Although no State funding will be provided for the Program, school districts that implement the Program will use local property tax and income surtax to fund their portion of the Program. In FY 2015, 328 districts (97.00%) implemented the Program and generated \$211,456,000 in local taxes (\$91,988,000 in income surtax and \$119,468,000 in property taxes) to fund the Program.

3 6 Sec. 5. GENERAL ASSEMBLY.
 3 7 1. The appropriations made pursuant to section 2.12 for the
 3 8 expenses of the general assembly and legislative agencies for
 3 9 the fiscal year beginning July 1, 2015, and ending June 30,
 3 10 2016, are reduced by the following amount:
 3 11 \$ 4,223,452
 3 12 2. The budgeted amounts for the general assembly and
 3 13 legislative agencies for the fiscal year beginning July 1,
 3 14 2015, may be adjusted to reflect the unexpended budgeted
 3 15 amounts from the previous fiscal year.

Reduces the FY 2016 standing appropriation for the Legislative Branch by \$4,223,452 and permits unexpended funds budgeted during FY 2015 to FY 2016 to carry forward.

DETAIL: The FY 2016 Legislative Branch budget is estimated at \$38,250,000. This requirement reduces the budget to \$34,026,548 and represents the same level of funding compared to the amount budgeted for FY 2015.

3 16 Sec. 6. Section 142C.15, subsection 4, paragraph c,
 3 17 unnumbered paragraph 1, Code 2015, is amended to read as
 3 18 follows:
 3 19 ~~—Not more than fifty percent of the~~ Any unobligated moneys
 3 20 in the fund annually may be expended in the form of grants to
 3 21 transplant recipients, transplant candidates, living organ
 3 22 donors, or to legal representatives on behalf of transplant
 3 23 recipients, transplant candidates, or living organ donors.
 3 24 Transplant recipients, transplant candidates, living organ
 3 25 donors, or the legal representatives of transplant recipients,
 3 26 transplant candidates, or living organ donors shall submit
 3 27 grant applications with supporting documentation provided
 3 28 by a hospital that performs transplants, verifying that the
 3 29 person by or for whom the application is submitted requires a
 3 30 transplant or is a living organ donor and specifying the amount
 3 31 of the costs associated with the following, if funds are not
 3 32 available from any other third-party payor:

CODE: Permits any unobligated funds in the Anatomical Gift Public Awareness Fund to be used for grants to recipients of organ transplants.

DETAIL: Awards for this category are currently limited to 50.00% of funds available. Any unexpended funds are carried forward to the next fiscal year.

3 33 Sec. 7. Section 257.35, Code 2015, is amended by adding the
 3 34 following new subsection:
 3 35 NEW SUBSECTION 9A. Notwithstanding subsection 1, and in
 3 36 addition to the reduction applicable pursuant to subsection
 3 37 2, the state aid for area education agencies and the portion
 3 38 of the combined district cost calculated for these agencies
 3 39 for the fiscal year beginning July 1, 2015, and ending June

CODE: Reduces the FY 2016 State school aid funding to area education agencies (AEAs) by \$15,000,000.

DETAIL: In addition to the \$15,000,000 State aid reduction for FY 2016, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to the AEAs will total \$22,500,000 for FY 2016.

3 40 30, 2016, shall be reduced by the department of management by
 3 41 fifteen million dollars. The reduction for each area education
 3 42 agency shall be prorated based on the reduction that the agency
 3 43 received in the fiscal year beginning July 1, 2003.

4 1 DIVISION II
 4 2 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

4 3 Sec. 8. IOWA NEW JOBS TRAINING AGREEMENTS. An Iowa
 4 4 community college that entered into a new jobs training
 4 5 agreement pursuant to chapter 260E, which was effective
 4 6 in April 2012, with an Iowa employer may enter into a new
 4 7 agreement with such employer pursuant to chapter 260E,
 4 8 which will be effective September 2015, and may use the base
 4 9 employment determined in April 2012 as the base employment
 4 10 for determining the new jobs eligible under the new agreement
 4 11 if the base employment determined in April 2012 was 2,125
 4 12 employees. The new agreement under chapter 260E shall
 4 13 be limited to seven years from the effective date of the
 4 14 agreement.

4 15 Sec. 9. NONREVERSION OF IOWA LEARNING ONLINE INITIATIVE
 4 16 MONEYS. Notwithstanding section 8.33, moneys appropriated
 4 17 in section 256.42, subsection 9, that remain unencumbered or
 4 18 unobligated at the close of a fiscal year shall not revert
 4 19 but shall remain available for expenditure for the purposes
 4 20 designated in section 256.42, subsection 9, until the close of
 4 21 the succeeding fiscal year.

4 22 Sec. 10. Section 8.22A, subsection 2, Code 2015, is amended
 4 23 to read as follows:

4 24 2. The conference shall meet as often as deemed necessary,
 4 25 but shall meet at least three times per year with at least
 4 26 one meeting taking place each year in March. The conference
 4 27 may use sources of information deemed appropriate. At each
 4 28 meeting, the conference shall agree to estimates for the
 4 29 current fiscal year and the following fiscal year for the
 4 30 general fund of the state, lottery revenues to be available
 4 31 for disbursement, and from gambling revenues and from interest
 4 32 earned on the cash reserve fund and the economic emergency
 4 33 fund to be deposited in the rebuild Iowa infrastructure fund.
 4 34 At the meeting taking place each year in March, in addition
 4 35 to agreeing to estimates for the current fiscal year and the
 4 36 following fiscal year, the conference shall agree to estimates
 4 37 for the fiscal year beginning July 1 of the following calendar
 4 38 year. Only an estimate for the following fiscal year agreed
 4 39 to by the conference pursuant to subsection 3, 4, or 5, shall

Permits a community college that has a new jobs training agreement, under Iowa Code chapter 260E, that was effective April 2012, with a base employment of 2,125, to enter a new agreement with the employer, effective September 2015, with the same base employment of 2,125. The agreement is limited to seven years from the effective date of the new agreement.

FISCAL IMPACT: This provision will decrease General Fund revenue by \$364,000 in FY 2016, \$437,000 per year in FY 2017 through FY 2021, and \$266,000 in FY 2022.

CODE: Allows any unobligated funds from the FY 2016 General Fund appropriations for the Iowa Online Learning Initiative to carry forward and remain available for expenditure for FY 2017. Iowa Code section 256.42 (Iowa Online Learning Initiative) appropriates \$1,500,000 each year for FY 2015 and FY 2016. This section does not apply to the FY 2015 appropriation. Any remaining unobligated FY 2015 funds revert on July 1, 2015.

CODE: Requires the Revenue Estimating Conference (REC) to hold one of its three meetings in March of each year and to provide revenue estimates for two years beyond the current fiscal year in progress at the March meeting.

DETAIL: Under current law, the REC is only required to provide a revenue estimate for one year beyond the current fiscal year in progress.

4 40 be used for purposes of calculating the state general fund
 4 41 expenditure limitation under section 8.54, and any other
 4 42 estimate agreed to shall be considered a preliminary estimate
 4 43 that shall not be used for purposes of calculating the state
 5 1 general fund expenditure limitation.

5 2 Sec. 11. Section 8D.4, Code 2015, is amended to read as
 5 3 follows:

5 4 8D.4 EXECUTIVE DIRECTOR APPOINTED.

5 5 The commission, in consultation with the director of
 5 6 the department of administrative services and the chief
 5 7 information officer, shall appoint an executive director of
 5 8 the commission, subject to confirmation by the senate. Such
 5 9 individual shall not serve as a member of the commission.
 5 10 The executive director shall serve at the pleasure of the
 5 11 commission. The executive director shall be selected primarily
 5 12 for administrative ability and knowledge in the field, without
 5 13 regard to political affiliation. The governor shall establish
 5 14 the salary of the executive director within the applicable
 5 15 salary range ~~nine as~~ established by the general assembly. The
 5 16 salary and support of the executive director shall be paid from
 5 17 funds deposited in the Iowa communications network fund.

CODE: Technical correction to eliminate an outdated salary range for the Executive Director of the Iowa Communications Network.

5 18 Sec. 12. Section 22.7, subsection 41, paragraph b,
 5 19 subparagraph (2), Code 2015, as amended by 2015 Iowa Acts,
 5 20 Senate File 335, section 1, is amended to read as follows:

5 21 (2) Preliminary reports of investigations by the medical
 5 22 examiner and autopsy reports for a decedent by whom an
 5 23 anatomical gift was made in accordance with chapter 142C shall
 5 24 be released to ~~an organ~~ a procurement organization as defined
 5 25 in section 142C.2, upon the request of such ~~organ~~ procurement
 5 26 organization, unless such disclosure would jeopardize an
 5 27 investigation or pose a clear and present danger to the public
 5 28 safety or the safety of an individual.

CODE: Technical correction for changes made in SF 335 (Release of Information to a Procurement Organization Act).

5 29 Sec. 13. Section 43.45, subsection 3, as enacted by 2015
 5 30 Iowa Acts, Senate File 415, section 1, is amended to read as
 5 31 follows:

5 32 3. Notwithstanding any requirement to the contrary in
 5 33 subsection 1 and subsection 2, paragraph "c", the commissioner
 5 34 of a county using digital ballot counting technology may direct
 5 35 the precinct election officials to tally and record write-in
 5 36 votes at the precincts after the closing of the polls or may
 5 37 direct the precinct election officials to ~~sort the ballots by~~
 5 38 print the write-in report containing digital images of write-in
 5 39 votes for delivery to the special precinct board to tally and
 5 40 record the write-in votes on any day following election day and
 5 41 prior to the canvass by the board of supervisors under section

CODE: Permits the county commissioner of elections to require precinct election officials to utilize digital images to compile write-in reports for delivery to the county's special precinct board for tallying rather than requiring delivery of the physical ballots themselves.

DETAIL: This language amends SF 415 (County Auditors Election Procedures Act) that was enacted by the General Assembly on April 28, 2015, and signed by the Governor on May 1, 2015.

5 42 43.49. For the purposes of this subsection “digital ballot
 5 43 counting technology” is technology in which digital images of
 6 1 write-in votes are printed by the precinct election officials
 6 2 at the polling place after the close of voting.

6 3 Sec. 14. Section 123.132, subsection 3, as enacted by 2015
 6 4 Iowa Acts, Senate File 456, section 1, is amended to read as
 6 5 follows:

6 6 3. A container of beer other than the original container
 6 7 that is sold and sealed in compliance with the requirements of
 6 8 subsection 2 and the division’s rules shall not be deemed an
 6 9 open container subject to the requirements of sections 321.284
 6 10 and 321.284A if the sealed container is unopened and the seal
 6 11 has not been tampered with, and the contents of the container
 6 12 have not been partially removed.

6 13 Sec. 15. Section 256.9, Code 2015, is amended by adding the
 6 14 following new subsection:

6 15 NEW SUBSECTION 66. Dedicate at least one-half of one of
 6 16 the department’s authorized full-time equivalent positions
 6 17 to maintain a fine arts consultant to provide guidance
 6 18 and assistance, including but not limited to professional
 6 19 development, strategies, and materials, to the department,
 6 20 school districts, and accredited nonpublic schools relating
 6 21 to music, visual art, drama and theater, and other fine and
 6 22 applied arts programs and coursework.

6 23 Sec. 16. Section 261.110, subsection 3, Code 2015, is
 6 24 amended by adding the following new paragraph:

6 25 NEW PARAGRAPH c. The applicant met all of the eligibility
 6 26 requirements of this section on or after January 1, 2013. A
 6 27 person who met the program eligibility requirements of this
 6 28 section prior to January 1, 2013, is ineligible for this
 6 29 program.

6 30 Sec. 17. Section 418.9, subsection 8, Code 2015, is amended
 6 31 to read as follows:

6 32 8. If, following approval of a project application under the
 6 33 program, it is determined that the amount of federal financial
 6 34 assistance exceeds the amount of federal financial assistance
 6 35 specified in the application, the board shall reduce the award
 6 36 of financial assistance from the flood mitigation fund or
 6 37 reduce the amount of sales tax revenue to be received for the
 6 38 project by a corresponding amount. However, in a county with
 6 39 a population of less than one hundred thousand but more than
 6 40 ninety-three thousand five hundred as determined by the 2010
 6 41 federal decennial census and for projects that received bids
 6 42 during the 2015 calendar year, the amount of sales tax revenue

CODE: Provides that a sealed container of beer is not considered an open container subject to the requirements of Iowa Code sections 321.284 and 321.284A if it remains unopened, the seal has not been tampered with, and the contents of the container have not been partially removed.

DETAIL: This language amends SF 456 (Sale and Off-Premise Consumption of Beer Act) that was enacted by the General Assembly on April 21, 2015, and signed by the Governor on April 24, 2015.

CODE: Requires the Department of Education to dedicate a minimum of 0.50 FTE position of the Department’s authorized FTE positions to maintain a fine arts consultant.

CODE: Specifies that individuals applying for a grant through the Teach Iowa Scholar Program and that meet eligibility requirements on or after January 1, 2013, are eligible to receive a grant award.

CODE: Specifies that the amount of sales tax collected for flood mitigation projects in Dubuque County will not be reduced if the additional federal financial assistance does not reduce the need for sales tax revenue due to an increase in project costs that were incurred after the project was approved.

6 43 to be received for the project shall not be reduced if the
 7 1 additional federal financial assistance does not reduce the
 7 2 need for sales tax revenue due to an increase in project costs
 7 3 incurred following the approval of the project application
 7 4 under the program.

7 5 Sec. 18. Section 418.15, subsection 1, Code 2015, is amended
 7 6 to read as follows:

7 7 1. A governmental entity shall not receive remittances of
 7 8 sales tax revenue under this chapter after twenty years from
 7 9 the date the governmental entity's project was approved by the
 7 10 board unless the remittance amount is calculated under section
 7 11 418.11 based on sales subject to the tax under section 432.2
 7 12 occurring before the expiration of the twenty-year period.

7 13 Sec. 19. Section 441.37A, subsection 1, paragraph a, Code
 7 14 2015, is amended to read as follows:

7 15 a. For the assessment year beginning January 1, 2007, and
 7 16 all subsequent assessment years beginning before January 1,
 7 17 ~~2018~~ 2021, appeals may be taken from the action of the board of
 7 18 review with reference to protests of assessment, valuation, or
 7 19 application of an equalization order to the property assessment
 7 20 appeal board created in section 421.1A. However, a property
 7 21 owner or aggrieved taxpayer or an appellant described in
 7 22 section 441.42 may bypass the property assessment appeal board
 7 23 and appeal the decision of the local board of review to the
 7 24 district court pursuant to section 441.38.

7 25 Sec. 20. Section 715A.9A, subsection 1, paragraph a, Code
 7 26 2015, is amended to read as follows:

7 27 a. Is a victim of identity theft in this state ~~as described~~
 7 28 ~~in section 715A.8~~ or resides in this state at the time the
 7 29 person is a victim of identity theft.

7 30 Sec. 21. 2015 Iowa Acts, Senate File 496, section 1,
 7 31 subsection 1, paragraph a, if enacted, is amended to read as

CODE: Specifies that remittances of sales tax revenue to a governmental entity as part of the Flood Mitigation Program are permissible after the expiration of the entity's 20-year project approval if the remittances are based on sales that occurred prior to the expiration.

CODE: Extends the sunset provision of the Property Assessment Appeal Board (PAAB) from January 1, 2018, to January 1, 2021. Also permits a property owner to bypass the PAAB and appeal an assessment completed by the local board of review directly to district court.

CODE: Expands the definition of "victim" for the purpose of qualifying for an identity theft passport that may be issued by the Crime Victim Assistance Division (CVAD) of the Office of the Attorney General.

FISCAL IMPACT: Expanding the definition of victim may increase the number of requests received by the CVAD for an identity theft passport. The Victim Compensation Fund is used to pay for the identity theft passport. The fiscal impact of this provision is expected to be a one-time cost of no more than \$4,600 in FY 2016 from the Victim Compensation Fund. This amount includes the costs of a card-making machine, ink cartridges, supply of cards, and software for the card template. Costs in future fiscal years are expected to be approximately \$100 for supplies.

CODE: Increases the General Fund appropriation for Judicial Branch salaries and operational costs by \$7.2 million for FY 2016 and

7 32 follows:

7 33 a. For salaries of supreme court justices, appellate court

7 34 judges, district court judges, district associate judges,

7 35 associate juvenile judges, associate probate judges, judicial

7 36 magistrates and staff, state court administrator, clerk of the

7 37 supreme court, district court administrators, clerks of the

7 38 district court, juvenile court officers, board of law examiners

7 39 and board of examiners of shorthand reporters and judicial

7 40 qualifications commission; receipt and disbursement of child

7 41 support payments; reimbursement of the auditor of state for

7 42 expenses incurred in completing audits of the offices of the

7 43 clerks of the district court during the fiscal year beginning

8 1 July 1, 2015; and maintenance, equipment, and miscellaneous

8 2 purposes:

8 3	.....	\$	171,486,612
8 4			<u>178,686,612</u>

8 5 0b. Of the moneys appropriated in lettered paragraph "a",

8 6 \$520,150 shall be used for juvenile drug courts. The amount

8 7 allocated in this lettered paragraph shall be distributed to

8 8 assist with the operation of juvenile drug court programs

8 9 operated in the following jurisdictions:

8 10	<u>(1) Marshall county:</u>		
8 11	.....	\$	62,708
8 12	<u>(2) Woodbury county:</u>		
8 13	.....	\$	125,682
8 14	<u>(3) Polk county:</u>		
8 15	.....	\$	195,892
8 16	<u>(4) The third judicial district:</u>		
8 17	.....	\$	67,934
8 18	<u>(5) The eighth judicial district:</u>		
8 19	.....	\$	67,934

allocates \$520,000 for Juvenile Drug Courts.

8 20 Sec. 22. 2015 Iowa Acts, Senate File 505, section 12,

8 21 subsection 12, paragraph d, if enacted, is amended to read as

8 22 follows:

8 23 d. Payment methodologies utilized for disproportionate

8 24 share hospitals and graduate medical education, and other

8 25 supplemental payments under the Medicaid program may be

8 26 adjusted or converted to other methodologies or payment

8 27 types to provide these payments ~~through Medicaid managed care~~

8 28 ~~implemented beginning after~~ January 1, 2016. The department

8 29 of human services shall obtain approval from the centers for

8 30 Medicare and Medicaid services of the United States department

8 31 of health and human services prior to implementation of any

8 32 such adjusted or converted methodologies or payment types.

8 33 Sec. 23. 2015 Iowa Acts, Senate File 505, section 132,

8 34 subsection 12, paragraph d, if enacted, is amended to read as

CODE: Amends language in SF 505 (Health and Human Services Appropriations Bill) relating to Medicaid payment methodologies for disproportionate share hospitals and graduate medical education.

8 35 follows:
 8 36 d. Payment methodologies utilized for disproportionate
 8 37 share hospitals and graduate medical education, and other
 8 38 supplemental payments under the Medicaid program may be
 8 39 adjusted or converted to other methodologies or payment types
 8 40 to provide these payments ~~through Medicaid managed care~~ after
 8 41 January 1, 2016. The department of human services shall obtain
 8 42 approval from the centers for Medicare and Medicaid services
 8 43 of the United States department of health and human services
 9 1 prior to implementation of any such adjusted or converted
 9 2 methodologies or payment types.

9 3 DIVISION III
 9 4 SALARIES, COMPENSATION, AND RELATED MATTERS

9 5 Sec. 24. SPECIAL FUNDS. For the fiscal year beginning
 9 6 July 1, 2015, and ending June 30, 2016, and for the fiscal
 9 7 year beginning July 1, 2016, and ending June 30, 2017, salary
 9 8 adjustments may be funded using departmental revolving, trust,
 9 9 or special funds for which the general assembly has established
 9 10 an operating budget, provided doing so does not exceed the
 9 11 operating budget established by the general assembly.

Permits salary adjustment to be funded from revolving, trust, or special funds for FY 2016 and FY 2017, as long as the funding does not exceed the operating budgets established by the General Assembly.

9 12 Sec. 25. SALARY MODEL ADMINISTRATOR. The salary model
 9 13 administrator shall work in conjunction with the legislative
 9 14 services agency to maintain the state's salary model used for
 9 15 analyzing, comparing, and projecting state employee salary
 9 16 and benefit information, including information relating to
 9 17 employees of the state board of regents. The department of
 9 18 revenue, the department of administrative services, the five
 9 19 institutions under the jurisdiction of the state board of
 9 20 regents, the judicial district departments of correctional
 9 21 services, and the state department of transportation shall
 9 22 provide salary data to the department of management and the
 9 23 legislative services agency to operate the state's salary
 9 24 model. The format and frequency of provision of the salary
 9 25 data shall be determined by the department of management and
 9 26 the legislative services agency. The information shall be
 9 27 used in collective bargaining processes under chapter 20 and
 9 28 in calculating the funding needs contained within the annual
 9 29 salary adjustment legislation. A state employee organization
 9 30 as defined in section 20.3, subsection 4, may request
 9 31 information produced by the model, but the information provided
 9 32 shall not contain information attributable to individual
 9 33 employees.

Requires the salary model administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various departments to submit salary data to the DOM and the LSA.

9 34 DIVISION IV
 9 35 CORRECTIVE PROVISIONS

9 36 Sec. 26. Section 123.122, Code 2015, as amended by 2015
 9 37 Iowa Acts, House File 536, section 48, is amended to read as
 9 38 follows:

9 39 123.122 PERMIT OR LICENSE REQUIRED.

9 40 A person shall not manufacture for sale or sell beer at
 9 41 wholesale or retail unless a permit is first obtained as
 9 42 provided in this subchapter or, a liquor control license
 9 43 authorizing the retail sale of beer is first obtained as
 10 1 provided in ~~division~~ subchapter I of this chapter. A liquor
 10 2 control license holder is not required to hold a separate class
 10 3 "B" beer permit.

CODE: Corrective provision for HF 536 (Substantive Code Editor's Act).

DETAIL: This Act was approved by the General Assembly on April 7, 2015, and signed by the Governor on April 8, 2015.

10 4 Sec. 27. Section 227.10, Code 2015, as amended by 2015
 10 5 Iowa Acts, Senate File 463, section 53, is amended to read as
 10 6 follows:

10 7 227.10 TRANSFERS FROM COUNTY OR PRIVATE INSTITUTIONS.

10 8 Patients who have been admitted at public expense to
 10 9 any institution to which this chapter is applicable may be
 10 10 involuntarily transferred to the proper state hospital for
 10 11 persons with mental illness in the manner prescribed by
 10 12 sections 229.6 to 229.13. The application required by section
 10 13 229.6 may be filed by the administrator of the division or
 10 14 the administrator's designee, or by the administrator of the
 10 15 institution where the patient is then being maintained or
 10 16 treated. If the patient was admitted to that institution
 10 17 involuntarily, the administrator of the division may arrange
 10 18 and complete the transfer, and shall report it as required of a
 10 19 chief medical officer under section 229.15, subsection 5. The
 10 20 transfer shall be made at the mental health and ~~disabilities~~
 10 21 disability services region's expense, and the expense
 10 22 recovered, as provided in section 227.7. However, transfer
 10 23 under this section of a patient whose expenses are payable
 10 24 in whole or in part by ~~a~~ the mental health and ~~disabilities~~
 10 25 disability services region is subject to an authorization
 10 26 for the transfer through the regional administrator for the
 10 27 patient's county of residence.

CODE: Sections 27 through 39 are corrective provisions for SF 463 (Mental Health Disability Services Redesign, Cleanup Act).

DETAIL: This Act was approved by the General Assembly on April 21, 2015, and signed by the Governor on April 24, 2015.

10 28 Sec. 28. Section 227.14, Code 2015, as amended by 2015
 10 29 Iowa Acts, Senate File 463, section 56, is amended to read as
 10 30 follows:

10 31 227.14 CARING FOR PERSONS WITH MENTAL ILLNESS FROM OTHER
 10 32 COUNTIES.

10 33 The regional administrator for a county that does not have
 10 34 proper facilities for caring for persons with mental illness
 10 35 may, with the consent of the administrator of the division,
 10 36 provide for such care at the expense of the mental health and
 10 37 ~~disabilities~~ disability services region in any convenient and
 10 38 proper county or private institution for persons with mental

10 39 illness which is willing to receive the persons.
10 40 Sec. 29. Section 229.1B, Code 2015, as amended by 2015
10 41 Iowa Acts, Senate File 463, section 59, is amended to read as
10 42 follows:
10 43 229.1B REGIONAL ADMINISTRATOR.
11 1 Notwithstanding any provision of this chapter to the
11 2 contrary, any person whose hospitalization expenses
11 3 are payable in whole or in part by a mental health and
11 4 ~~disabilities~~ disability services region shall be subject to all
11 5 administrative requirements of the regional administrator for
11 6 the county.
11 7 Sec. 30. Section 229.2, subsection 1, paragraph b,
11 8 subparagraph (3), Code 2015, as amended by 2015 Iowa Acts,
11 9 Senate File 463, section 60, is amended to read as follows:
11 10 (3) As soon as is practicable after the filing of a
11 11 petition for juvenile court approval of the admission of the
11 12 minor, the juvenile court shall determine whether the minor
11 13 has an attorney to represent the minor in the hospitalization
11 14 proceeding, and if not, the court shall assign to the minor
11 15 an attorney. If the minor is financially unable to pay for
11 16 an attorney, the attorney shall be compensated by the mental
11 17 health and ~~disabilities~~ disability services region at an hourly
11 18 rate to be established by the regional administrator for the
11 19 county in which the proceeding is held in substantially the
11 20 same manner as provided in section 815.7.
11 21 Sec. 31. Section 229.8, subsection 1, Code 2015, as amended
11 22 by 2015 Iowa Acts, Senate File 463, section 61, is amended to
11 23 read as follows:
11 24 1. Determine whether the respondent has an attorney
11 25 who is able and willing to represent the respondent in the
11 26 hospitalization proceeding, and if not, whether the respondent
11 27 is financially able to employ an attorney and capable of
11 28 meaningfully assisting in selecting one. In accordance with
11 29 those determinations, the court shall if necessary allow the
11 30 respondent to select, or shall assign to the respondent, an
11 31 attorney. If the respondent is financially unable to pay an
11 32 attorney, the attorney shall be compensated by the mental
11 33 health and ~~disabilities~~ disability services region at an hourly
11 34 rate to be established by the regional administrator for the
11 35 county in which the proceeding is held in substantially the
11 36 same manner as provided in section 815.7.
11 37 Sec. 32. Section 229.10, subsection 1, paragraph a, Code
11 38 2015, as amended by 2015 Iowa Acts, Senate File 463, section
11 39 62, is amended to read as follows:
11 40 a. An examination of the respondent shall be conducted by
11 41 one or more licensed physicians, as required by the court's
11 42 order, within a reasonable time. If the respondent is detained
11 43 pursuant to section 229.11, subsection 1, paragraph "b",

12 1 the examination shall be conducted within twenty-four hours.
12 2 If the respondent is detained pursuant to section 229.11,
12 3 subsection 1, paragraph "a" or "c", the examination shall
12 4 be conducted within forty-eight hours. If the respondent
12 5 so desires, the respondent shall be entitled to a separate
12 6 examination by a licensed physician of the respondent's own
12 7 choice. The reasonable cost of the examinations shall, if the
12 8 respondent lacks sufficient funds to pay the cost, be paid by
12 9 the regional administrator from mental health and ~~disabilities~~
12 10 disability services region funds upon order of the court.

12 11 Sec. 33. Section 229.11, subsection 1, unnumbered paragraph
12 12 1, Code 2015, as amended by 2015 Iowa Acts, Senate File 463,
12 13 section 63, is amended to read as follows:

12 14 If the applicant requests that the respondent be taken into
12 15 immediate custody and the judge, upon reviewing the application
12 16 and accompanying documentation, finds probable cause to believe
12 17 that the respondent has a serious mental impairment and is
12 18 likely to injure the respondent or other persons if allowed
12 19 to remain at liberty, the judge may enter a written order
12 20 directing that the respondent be taken into immediate custody
12 21 by the sheriff or the sheriff's deputy and be detained until
12 22 the hospitalization hearing. The hospitalization hearing shall
12 23 be held no more than five days after the date of the order,
12 24 except that if the fifth day after the date of the order is
12 25 a Saturday, Sunday, or a holiday, the hearing may be held
12 26 on the next succeeding business day. If the expenses of a
12 27 respondent are payable in whole or in part by a mental health
12 28 and ~~disabilities~~ disability services region, for a placement in
12 29 accordance with paragraph "a", the judge shall give notice of
12 30 the placement to the regional administrator for the county in
12 31 which the court is located, and for a placement in accordance
12 32 with paragraph "b" or "c", the judge shall order the placement
12 33 in a hospital or facility designated through the regional
12 34 administrator. The judge may order the respondent detained for
12 35 the period of time until the hearing is held, and no longer,
12 36 in accordance with paragraph "a", if possible, and if not then
12 37 in accordance with paragraph "b", or, only if neither of these
12 38 alternatives is available, in accordance with paragraph "c".
12 39 Detention may be:

12 40 Sec. 34. Section 229.13, subsection 1, paragraph a, Code
12 41 2015, as amended by 2015 Iowa Acts, Senate File 463, section
12 42 64, is amended to read as follows:

12 43 a. The court shall order a respondent whose expenses
13 1 are payable in whole or in part by a mental health and
13 2 ~~disabilities~~ disability services region placed under the care
13 3 of an appropriate hospital or facility designated through the
13 4 county's regional administrator on an inpatient or outpatient
13 5 basis.

13 6 Sec. 35. Section 229.14, subsection 2, paragraph a, Code
13 7 2015, as amended by 2015 Iowa Acts, Senate File 463, section
13 8 65, is amended to read as follows:

13 9 a. For a respondent whose expenses are payable in whole
13 10 or in part by a mental health and ~~disabilities~~ disability
13 11 services region, placement as designated through the county's
13 12 regional administrator in the care of an appropriate hospital
13 13 or facility on an inpatient or outpatient basis, or other
13 14 appropriate treatment, or in an appropriate alternative
13 15 placement.

13 16 Sec. 36. Section 229.14A, subsection 7, Code 2015, as
13 17 amended by 2015 Iowa Acts, Senate File 463, section 66, is
13 18 amended to read as follows:

13 19 7. If a respondent's expenses are payable in whole or in
13 20 part by a mental health and ~~disabilities~~ disability services
13 21 region through the county's regional administrator, notice of
13 22 a placement hearing shall be provided to the county attorney
13 23 and the regional administrator. At the hearing, the county may
13 24 present evidence regarding appropriate placement.

13 25 Sec. 37. Section 229.42, subsection 1, Code 2015, as amended
13 26 by 2015 Iowa Acts, Senate File 463, section 68, is amended to
13 27 read as follows:

13 28 1. If a person wishing to make application for voluntary
13 29 admission to a mental hospital established by chapter 226 is
13 30 unable to pay the costs of hospitalization or those responsible
13 31 for the person are unable to pay the costs, application for
13 32 authorization of voluntary admission must be made through a
13 33 regional administrator before application for admission is
13 34 made to the hospital. The person's county of residence shall
13 35 be determined through the regional administrator and if the
13 36 admission is approved through the regional administrator,
13 37 the person's admission to a mental health hospital shall be
13 38 authorized as a voluntary case. The authorization shall be
13 39 issued on forms provided by the department of human services'
13 40 administrator. The costs of the hospitalization shall be paid
13 41 by the county of residence through the regional administrator
13 42 to the department of human services and credited to the general
13 43 fund of the state, provided that the mental health hospital
14 1 rendering the services has certified to the county auditor
14 2 of the county of residence and the regional administrator
14 3 the amount chargeable to the mental health and ~~disabilities~~
14 4 disability services region and has sent a duplicate statement
14 5 of the charges to the department of human services. A mental
14 6 health and ~~disabilities~~ disability services region shall not be
14 7 billed for the cost of a patient unless the patient's admission
14 8 is authorized through the regional administrator. The mental
14 9 health institute and the regional administrator shall work
14 10 together to locate appropriate alternative placements and

14 11 services, and to educate patients and family members of
 14 12 patients regarding such alternatives.
 14 13 Sec. 38. Section 230.1, subsection 3, Code 2015, as amended
 14 14 by 2015 Iowa Acts, Senate File 463, section 69, is amended to
 14 15 read as follows:

14 16 3. A mental health and ~~disabilities~~ disability services
 14 17 region or county of residence is not liable for costs and
 14 18 expenses associated with a person with mental illness unless
 14 19 the costs and expenses are for services and other support
 14 20 authorized for the person through the county's regional
 14 21 administrator. For the purposes of this chapter, "regional
 14 22 administrator" means the same as defined in section 331.388.

14 23 Sec. 39. Section 230.20, subsection 2, paragraph b, Code
 14 24 2015, as amended by 2015 Iowa Acts, Senate File 463, section
 14 25 71, is amended to read as follows:

14 26 b. The per diem costs billed to each mental health and
 14 27 ~~disabilities~~ disability services region shall not exceed
 14 28 the per diem costs billed to the county in the fiscal year
 14 29 beginning July 1, 1996. However, the per diem costs billed to
 14 30 a mental health and ~~disabilities~~ disability services region
 14 31 may be adjusted annually to reflect increased costs, to the
 14 32 extent of the percentage increase in the statewide per capita
 14 33 expenditure target amount, if any per capita growth amount
 14 34 is authorized by the general assembly for the fiscal year in
 14 35 accordance with section 426B.3.

14 36 Sec. 40. Section 279.10, subsection 1, Code 2015, as amended
 14 37 by 2015 Iowa Acts, Senate File 227, section 2, is amended to
 14 38 read as follows:

14 39 1. The school year for each school district and accredited
 14 40 nonpublic school shall begin on July 1 and the school calendar
 14 41 shall begin no sooner than August 23 and no later than the
 14 42 first Monday in December. The school calendar shall include
 14 43 not less than one hundred eighty days, ~~except as provided in~~
 15 1 ~~subsection 3~~, or one thousand eighty hours of instruction
 15 2 during the calendar year. The board of directors of a school
 15 3 district and the authorities in charge of an accredited
 15 4 nonpublic school shall determine the school start date for
 15 5 the school calendar in accordance with this subsection and
 15 6 shall set the number of days or hours of required attendance
 15 7 for the school year as provided in section 299.1, subsection
 15 8 2, but the board of directors of a school district shall
 15 9 hold a public hearing on any proposed school calendar prior
 15 10 to adopting the school calendar. If the board of directors
 15 11 of a district or the authorities in charge of an accredited
 15 12 nonpublic school extends the school calendar because inclement
 15 13 weather caused the school district or accredited nonpublic
 15 14 school to temporarily close during the regular school calendar,

CODE: Corrective provision for SF 227 (School Start Date Act).

DETAIL: This Act was approved by the General Assembly on April 7,
 2015, and signed by the Governor on April 10, 2015. This section is
 retroactive to April 10, 2015.

15 15 the school district or accredited nonpublic school may excuse a
 15 16 graduating senior who has met district or school requirements
 15 17 for graduation from attendance during the extended school
 15 18 calendar. A school corporation may begin employment of
 15 19 personnel for in-service training and development purposes
 15 20 before the date to begin elementary and secondary school.

15 21 Sec. 41. Section 426B.5, subsection 2, paragraph c, Code
 15 22 2015, as amended by 2015 Iowa Acts, Senate File 463, section
 15 23 78, is amended to read as follows:

15 24 c. A risk pool board is created. The board shall consist of
 15 25 two county supervisors, two county auditors, a member of the
 15 26 mental health and disability services commission who is not a
 15 27 member of a county board of supervisors, a member of the county
 15 28 finance committee created in chapter 333A who is not an elected
 15 29 official, a representative of a provider of mental health or
 15 30 developmental disabilities services selected from nominees
 15 31 submitted by the Iowa association of community providers, and
 15 32 two staff members of regional administrators of county mental
 15 33 health and disability services regions, all appointed by the
 15 34 governor, and one member appointed by the director of human
 15 35 services. All members appointed by the governor shall be
 15 36 subject to confirmation by the senate. Members shall serve for
 15 37 three-year terms. A vacancy shall be filled in the same manner
 15 38 as the original appointment. Expenses and other costs of the
 15 39 risk pool board members representing counties shall be paid by
 15 40 the county of origin. Expenses and other costs of risk pool
 15 41 board members who do not represent counties shall be paid from
 15 42 a source determined by the governor. Staff assistance to the
 15 43 board shall be provided by the department of human services and
 16 1 counties. Actuarial expenses and other direct administrative
 16 2 costs shall be charged to the pool.

CODE: Corrective provision for SF 463 (Mental Health Disability Services Redesign, Cleanup Act).

DETAIL: This Act was approved by the General Assembly on April 21, 2015, and signed by the Governor on April 24, 2015.

16 3 Sec. 42. Section 459A.302, subsection 1, paragraph a,
 16 4 unnumbered paragraph 1, Code 2015, as amended by 2015 Iowa
 16 5 Acts, House File 583, section 33, is amended to read as
 16 6 follows:

16 7 Prior to constructing a settled open feedlot effluent basin
 16 8 or an animal truck wash effluent structure, the site for the
 16 9 basin or structure shall be investigated for a drainage tile
 16 10 line by the owner of the open feedlot operation or animal truck
 16 11 wash facility. The investigation shall be made by digging a
 16 12 core trench to a depth of at least six feet deep from ground
 16 13 level at the projected center of the berm of the basin or
 16 14 structure. If a drainage tile line is discovered, one of the
 16 15 following solutions shall be implemented:

CODE: Technical correction to HF 583 (Animal Truck Wash Act) that adds the word structure when investigating a site for a drainage tile line.

DETAIL: This Act was approved by the General Assembly on April 28, 2015, and signed by the Governor on May 1, 2015.

16 16 Sec. 43. Section 459A.302, subsection 2, paragraph a, Code

CODE: Technical correction to HF 583 (Animal Truck Wash Act).

16 17 2015, as amended by 2015 Iowa Acts, House File 583, section 34,
16 18 is amended to read as follows:

16 19 a. The settled open feedlot effluent basin or ~~an~~ animal
16 20 truck wash effluent structure shall be constructed with a
16 21 minimum separation of two feet between the top of the liner of
16 22 the basin or structure and the seasonal high-water table.

16 23 Sec. 44. Section 459A.404, subsection 3, paragraphs b and c,
16 24 if enacted by 2015 Iowa Acts, House File 583, section 41, are
16 25 amended to read as follows:

16 26 b. For purposes of section 459.310, subsection 4, the
16 27 provisions relating to an unformed manure storage structure
16 28 shall apply to an unformed animal truck wash effluent structure
16 29 and the provisions relating to a formed manure storage
16 30 structure shall apply to a formed animal truck wash effluent
16 31 structure. However, the

16 32 ~~—c. Notwithstanding section 459.310, subsection 4, a~~
16 33 requirement in section 459.310, subsection 4, paragraph “a”,
16 34 relating to animal weight capacity or animal unit capacity
16 35 shall not apply to the replacement of an unformed animal
16 36 truck wash effluent structure with a formed animal truck wash
16 37 effluent structure. In addition, the capacity of a replacement
16 38 animal truck wash effluent structure shall not exceed the
16 39 amount required to store animal truck wash effluent for any
16 40 eighteen-month period.

16 41 Sec. 45. Section 459A.411, Code 2015, as amended by 2015
16 42 Iowa Acts, House File 583, section 43, if enacted, is amended
16 43 to read as follows:

17 1 459A.411 DISCONTINUANCE OF OPERATIONS.
17 2 The owner of an open feedlot operation or animal truck
17 3 wash facility who discontinues its operation shall remove all
17 4 effluent from related open feedlot operation structures or
17 5 animal truck wash effluent structures used to store effluent,
17 6 as soon as practical but not later than six months following
17 7 the date the operations of the open feedlot operation or animal
17 8 truck wash facility ~~is~~ are discontinued.

17 9 Sec. 46. Section 476.53, subsection 3, paragraph a,
17 10 subparagraph (1), Code 2015, as amended by 2015 Iowa Acts,
17 11 House File 535, section 61, is amended to read as follows:

17 12 (1) (a) Files an application pursuant to section 476A.3 to
17 13 construct in Iowa a baseload electric power generating facility
17 14 with a nameplate generating capacity equal to or greater
17 15 than three hundred megawatts or a combined-cycle electric
17 16 power generating facility, or an alternate energy production
17 17 facility as defined in section 476.42, or to significantly
17 18 alter an existing generating facility. For purposes of

DETAIL: This Bill was approved by the General Assembly on April 28,
2015, and signed by the Governor on May 1, 2015.

CODE: Technical correction to HF 583 (Animal Truck Wash Act) that
specifies the animal weight capacity or animal unit capacity does not
apply to the replacement of an unformed animal truck wash effluent
structure with a formed animal truck wash effluent structure.

DETAIL: This Act was approved by the General Assembly on April 28,
2015, and signed by the Governor on May 1, 2015.

CODE: Technical correction to HF 583 (Animal Truck Wash Act).

DETAIL: This Act was approved by the General Assembly on April 28,
2015, and signed by the Governor on May 1, 2015.

CODE: Corrective provision for HF 535 (Nonsubstantive Code Editor's
Act).

DETAIL: This Act was approved by the General Assembly on April 7,
2015, and signed by the Governor on April 8, 2015.

17 19 this subparagraph, a significant alteration of an existing
 17 20 generating facility must, in order to qualify for establishment
 17 21 of ratemaking principles, fall into one of the following
 17 22 categories:

17 23 (i) Conversion of a coal fueled facility into a gas fueled
 17 24 facility.

17 25 (ii) Addition of carbon capture and storage facilities at
 17 26 a coal fueled facility.

17 27 (iii) Addition of gas fueled capability to a coal fueled
 17 28 facility, in order to convert the facility to one that will
 17 29 rely primarily on gas for future generation.

17 30 (iv) Addition of a biomass fueled capability to a coal
 17 31 fueled facility.

17 32 (b) With respect to a significant alteration of an existing
 17 33 generating facility, an original facility shall not be required
 17 34 to be either a baseload or a combined-cycle facility. Only
 17 35 the incremental investment undertaken by a utility under
 17 36 subparagraph division (a), subparagraph subdivision (i), (ii),
 17 37 (iii), or (iv) shall be eligible to apply the ratemaking
 17 38 principles established by the order issued pursuant to
 17 39 paragraph "e". Facilities for which advanced ratemaking
 17 40 principles are obtained pursuant to this section shall not
 17 41 be subject to a subsequent board review pursuant to section
 17 42 476.6, subsection 20, to the extent that the investment has
 17 43 been considered by the board under this section. To the
 18 1 extent an eligible utility has been authorized to make capital
 18 2 investments subject to section 476.6, subsection 20, such
 18 3 investments shall not be eligible for ratemaking principles
 18 4 pursuant to this section.

18 5 Sec. 47. Section 602.3205, subsection 3, paragraph b, if
 18 6 enacted by 2015 Iowa Acts, Senate File 404, section 5, is
 18 7 amended to read as follows:

18 8 b. The audio recordings provided ~~in~~ to the board pursuant to
 18 9 this subsection shall be kept confidential by the board in a
 18 10 manner as provided in section 272C.6, subsection 4.

CODE: Corrective provision to SF 404 (Shorthand Reporters Certification and Regulation Act).

DETAIL: This Act was approved by the General Assembly on April 28, 2015, and signed by the Governor on May 1, 2015.

18 11 Sec. 48. Section 602.11113, Code 2015, as amended by 2015
 18 12 Iowa Acts, House File 536, section 177, is amended to read as
 18 13 follows:

18 14 602.11113 BAILIFFS EMPLOYED AS COURT ATTENDANTS.
 18 15 Persons who were employed as bailiffs and who were
 18 16 performing services for the court, other than law enforcement
 18 17 services, immediately prior to July 1, 1983, shall be employed
 18 18 by the district court administrators as court attendants under
 18 19 section 602.6601 on July 1, 1983.

CODE: Corrective provision for HF 536 (Substantive Code Editors Act).

DETAIL: This Act was approved by the General Assembly on March 23, 2015, and signed by the Governor on April 8, 2015.

18 20 Sec. 49. Section 714.23, subsection 4A, paragraph a, if

CODE: Corrective provision to SF 501 (State Authorization Reciprocity

18 21 enacted by 2015 Iowa Acts, Senate File 501, section 2, or 2015
 18 22 Iowa Acts, House File 663, section 2, is amended to read as
 18 23 follows:
 18 24 a. A student who does not receive a tuition refund up
 18 25 to the full refund of tuition charges due to the effect of
 18 26 an interstate reciprocity agreement under section 261G.4,
 18 27 subsection 1, may apply to the attorney general for a refund
 18 28 in a sum that represents the difference between any tuition
 18 29 refund received from the school and the full refund of tuition
 18 30 charges. For purposes of this subsection, "full refund of
 18 31 tuition charges" means the monetary sum of the refund for which
 18 32 the student would be eligible pursuant to the application of
 18 33 this section.

Agreements).

DETAIL: This Act was approved by the General Assembly on May 12, 2015, and signed by the Governor on May 22, 2015.

18 34 Sec. 50. Section 902.1, subsection 2, paragraph a,
 18 35 unnumbered paragraph 1, as enacted by 2015 Iowa Acts, Senate
 18 36 File 448, section 1, is amended to read as follows:
 18 37 Notwithstanding subsection 1, a defendant convicted of
 18 38 murder in the first degree in violation of section 707.2, and
 18 39 who was under the age of eighteen at the time the offense was
 18 40 committed shall receive one of the following sentences:

CODE: Corrective change to SF 448 (Juveniles Sentenced in Adult Court for Class A Felonies Act).

DETAIL: This Act was approved by the General Assembly on April 8, 2015, and signed by the Governor on April 24, 2015. This section is retroactive to April 24, 2015.

18 41 Sec. 51. Section 916.1, subsection 1, as enacted by 2015
 18 42 Iowa Acts, House File 496, section 1, is amended to read as
 18 43 follows:

CODE: Corrective change to HF 496 (Military Victim Advocate Act).

DETAIL: The Act was approved by the General Assembly on April 7, 2015, and signed by the Governor on April 8, 2015.

19 1 1. "Confidential communication" means confidential
 19 2 information shared between a victim and a military victim
 19 3 advocate within the advocacy relationship, and includes all
 19 4 information received by the advocate and any advice, report,
 19 5 or working paper given to or prepared by the advocate in
 19 6 the course of the advocacy relationship with the victim.
 19 7 "Confidential information" is ~~confidential~~ information which, so
 19 8 far as the victim is aware, is not disclosed to a third party
 19 9 with the exception of a person present in the consultation for
 19 10 the purpose of furthering the interest of the victim, a person
 19 11 to whom disclosure is reasonably necessary for the transmission
 19 12 of the information, or a person with whom disclosure is
 19 13 necessary for accomplishment of the purpose for which the
 19 14 advocate is consulted by the victim.

19 15 Sec. 52. RETROACTIVE APPLICABILITY. The section of this
 19 16 division of this Act amending section 279.10, subsection 1,
 19 17 applies retroactively to April 10, 2015.

Provides that Section 40 is retroactive to April 10, 2015.

19 18 Sec. 53. RETROACTIVE APPLICABILITY. The section of this
 19 19 division of this Act amending section 902.1, subsection 2,
 19 20 paragraph "a", unnumbered paragraph 1, applies retroactively
 19 21 to April 24, 2015.

Provides that Section 50 is retroactive to April 24, 2015.

19 22 DIVISION V
19 23 DEPARTMENT OF MANAGEMENT — DUTIES

19 24 Sec. 54. Section 8.6, subsections 12 and 13, Code 2015, are
19 25 amended by striking the subsections.

19 26 Sec. 55. Section 8A.111, Code 2015, is amended by adding the
19 27 following new subsection:

19 28 NEW SUBSECTION 11. An annual report on the administration
19 29 and promotion of equal opportunity in state contracts and
19 30 services under section 19B.7.

19 31 Sec. 56. Section 19B.6, Code 2015, is amended to read as
19 32 follows:

19 33 19B.6 RESPONSIBILITIES OF DEPARTMENT OF ADMINISTRATIVE
19 34 SERVICES ~~—AND DEPARTMENT OF MANAGEMENT~~ — AFFIRMATIVE ACTION.

19 35 The department of administrative services shall oversee the
19 36 implementation of sections 19B.1 through 19B.5 and shall work
19 37 with the governor to ensure compliance with those sections,
19 38 including the attainment of affirmative action goals and
19 39 timetables, by all state agencies, excluding the state board
19 40 of regents and its institutions. ~~The department of management
19 41 shall oversee the implementation of sections 19B.1 through
19 42 19B.5 and shall work with the governor to ensure compliance
19 43 with those sections, including the attainment of affirmative
20 1 action goals and timetables, by the state board of regents and
20 2 its institutions.~~

20 3 Sec. 57. Section 19B.7, subsection 1, unnumbered paragraph
20 4 1, Code 2015, is amended to read as follows:

20 5 Except as otherwise provided in subsection 2, the department
20 6 of ~~management~~ administrative services is responsible for the
20 7 administration and promotion of equal opportunity in all state
20 8 contracts and services and the prohibition of discriminatory
20 9 and unfair practices within any program receiving or benefiting
20 10 from state financial assistance in whole or in part. In
20 11 carrying out these responsibilities the department of
20 12 ~~management~~ administrative services shall:

20 13 Sec. 58. Section 19B.8, Code 2015, is amended to read as
20 14 follows:

20 15 19B.8 SANCTIONS.

20 16 The department of ~~management~~ administrative services may
20 17 impose appropriate sanctions on individual state agencies,
20 18 including the state board of regents and its institutions, and
20 19 upon a community college, area education agency, or school
20 20 district, in order to ensure compliance with state programs
20 21 emphasizing equal opportunity through affirmative action,
20 22 contract compliance policies, and requirements for procurement
20 23 goals for targeted small businesses.

CODE: Replaces the Department of Management (DOM) with the Department of Administrative Services (DAS) as the agency that will impose appropriate sanctions on State agencies, Board of Regents, community colleges, area education agencies, and school districts to ensure compliance with State programs emphasizing equal opportunity through affirmative action, contract compliance policies, and requirements for procurement goals for targeted small businesses.

<p>20 24</p> <p>20 25</p> <p>20 26 Sec. 59. Section 459A.105, subsection 2, paragraph b, as</p> <p>20 27 enacted by 2015 Iowa Acts, House File 583, section 10, is</p> <p>20 28 amended to read as follows:</p> <p>20 29 b. <u>(1)</u> The requirements of section 459A.205, including</p> <p>20 30 rules adopted by the commission pursuant to that section shall</p> <p>20 31 apply to a small animal truck wash facility only to the extent</p> <p>20 32 required by section 459A.205, subsection 4A.</p> <p>20 33 <u>(2)</u> The requirements of sections <u>section</u> 459A.404, and</p> <p>20 34 <u>including rules adopted by the commission pursuant to that</u></p> <p>20 35 <u>section, shall apply to a small animal truck wash facility.</u></p> <p>20 36 <u>However, 459A.404, subsection 1, shall only apply to a small</u></p> <p>20 37 <u>animal truck wash facility as provided in that subsection.</u></p> <p>20 38 <u>(3)</u> <u>The requirements of section</u> 459A.410, including rules</p> <p>20 39 adopted by the commission under these provisions <u>that section,</u></p> <p>20 40 <u>shall</u> apply to a small animal truck wash facility.</p> <p>20 41 Sec. 60. Section 459A.206, subsection 1, Code 2015, as</p> <p>20 42 amended by 2015 Iowa Acts, House File 583, section 25, is</p> <p>20 43 amended to read as follows:</p> <p>21 1 1. A settled open feedlot effluent basin or an <u>unformed</u></p> <p>21 2 animal truck wash effluent structure required to be constructed</p> <p>21 3 pursuant to a construction permit issued pursuant to section</p> <p>21 4 459A.205 shall meet design standards as required by a soils and</p> <p>21 5 hydrogeologic report.</p> <p>21 6 Sec. 61. Section 459A.206, subsection 2, paragraph c, Code</p> <p>21 7 2015, is amended to read as follows:</p> <p>21 8 c. The results of at least three soil corings reflecting</p> <p>21 9 the continuous soil profile taken for each <u>settled open feed</u></p> <p>21 10 <u>lot effluent basin or unformed animal truck wash effluent</u></p> <p>21 11 <u>structure</u>. The soil corings shall be taken and used in</p> <p>21 12 determining subsurface soil characteristics and groundwater</p> <p>21 13 elevation and direction of flow of the proposed site for</p> <p>21 14 construction. The soil corings shall be taken as follows:</p> <p>21 15 (1) By a qualified person ordinarily engaged in the practice</p> <p>21 16 of taking soil cores and in performing soil testing.</p> <p>21 17 (2) At locations that reflect the continuous soil profile</p> <p>21 18 conditions existing within the area of the proposed basin <u>or</u></p> <p>21 19 <u>unformed structure</u>, including conditions found near the corners</p> <p>21 20 and the deepest point of the proposed basin. The soil corings</p> <p>21 21 shall be taken to a minimum depth of ten feet below the bottom</p> <p>21 22 elevation of the basin.</p> <p>21 23 (3) By a method such as hollow stem auger or other method</p> <p>21 24 that identifies the continuous soil profile and does not result</p> <p>21 25 in the mixing of soil layers.</p>	<p>CODE: Specifies that the rules adopted by the Environmental Protection Commission will apply only to small animal truck wash facilities.</p> <p>CODE: Requires an unformed animal truck wash effluent structure to meet design standards as determined by a soils and hydrogeologic report.</p> <p>CODE: Details the information in the soils and hydrogeologic report to be submitted by an unformed animal truck wash effluent structure.</p>
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21 26 Sec. 62. Section 459A.207, subsection 1, paragraph a, Code
21 27 2015, is amended to read as follows:

21 28 a. The basin or structure was constructed in accordance
21 29 with the design plans submitted to the department as part
21 30 of an application for a construction permit pursuant to
21 31 section 459A.205. If the actual construction deviates from
21 32 the approved design plans, the construction certification
21 33 shall identify all changes and certify that the changes were
21 34 consistent with all applicable standards of this section.

CODE: Requires the owner of an unformed structure to submit a construction certificate from a licensed professional engineer.

21 35 Sec. 63. Section 459A.302, unnumbered paragraph 1, Code
21 36 2015, as amended by 2015 Iowa Acts, House File 583, section 32,
21 37 is amended to read as follows:

21 38 A settled open feedlot effluent basin or an unformed animal
21 39 truck wash effluent structure required to be constructed
21 40 pursuant to a construction permit issued pursuant to section
21 41 459A.205 shall meet all of the following requirements:

CODE: Specifies the requirements for the construction of an unformed animal truck wash.

21 42 Sec. 64. Section 459A.302, subsection 1, paragraph a,
21 43 unnumbered paragraph 1, Code 2015, as amended by 2015 Iowa
22 1 Acts, House File 583, section 33, is amended to read as
22 2 follows:

22 3 Prior to constructing a settled open feedlot effluent basin
22 4 or an unformed animal truck wash effluent structure, the site
22 5 for the basin or structure shall be investigated for a drainage
22 6 tile line by the owner of the open feedlot operation or animal
22 7 truck wash facility. The investigation shall be made by
22 8 digging a core trench to a depth of at least six feet deep from
22 9 ground level at the projected center of the berm of the basin
22 10 or unformed structure. If a drainage tile line is discovered,
22 11 one of the following solutions shall be implemented:

CODE: Requires the site for the construction of an unformed animal truck wash to be investigated for tile drainage and provides procedural details if a drainage tile line is discovered.

22 12 Sec. 65. Section 459A.302, subsection 1, paragraph a,
22 13 subparagraphs (1) and (2), Code 2015, are amended to read as
22 14 follows:

22 15 (1) The drainage tile line shall be rerouted around
22 16 the perimeter of the basin or unformed animal truck wash
22 17 effluent structure at a distance of at least twenty-five feet
22 18 horizontally separated from the outside edge of the berm of
22 19 the basin or unformed structure. For an area of the basin or
22 20 unformed structure where there is not a berm, the drainage
22 21 tile line shall be rerouted at least fifty feet horizontally
22 22 separated from the edge of the basin or unformed structure.

CODE: Specifies the requirements to reroute a drainage tile line for an unformed animal truck wash effluent structure.

22 23 (2) The drainage tile line shall be replaced with a
22 24 nonperforated tile line under the ~~basin~~ floor of the basin
22 25 or unformed animal truck wash effluent structure. The
22 26 nonperforated tile line shall be continuous and without

22 27 connecting joints. There must be a minimum of three feet
22 28 between the nonperforated tile line and the ~~basin~~ floor of the
22 29 basin or unformed structure.

22 30 Sec. 66. Section 459A.302, subsections 2, 3, 4, and 5, Code
22 31 2015, as amended by 2015 Iowa Acts, House File 583, section 34,
22 32 are amended to read as follows:

22 33 2. a. The settled open feedlot effluent basin or ~~an~~
22 34 unformed animal truck wash effluent structure shall be
22 35 constructed with a minimum separation of two feet between the
22 36 top of the liner of the basin or unformed structure and the
22 37 seasonal high-water table.

22 38 b. If a drainage tile line around the perimeter of the
22 39 settled open feedlot effluent basin or unformed animal truck
22 40 wash effluent structure is installed a minimum of two feet
22 41 below the top of the basin's or unformed structure's liner
22 42 to artificially lower the seasonal high-water table, the
22 43 top of the liner may be a maximum of four feet below the
23 1 seasonal high-water table. The seasonal high-water table may
23 2 be artificially lowered by gravity flow tile lines or other
23 3 similar system. However, the following shall apply:

23 4 (1) Except as provided in subparagraph (2), an open feedlot
23 5 operation or animal truck wash facility shall not use a
23 6 nongravity mechanical system that uses pumping equipment.

23 7 (2) If the open feedlot operation was constructed before
23 8 July 1, 2005, the operation may continue to use its existing
23 9 nongravity mechanical system that uses pumping equipment or
23 10 it may construct a new nongravity mechanical system that uses
23 11 pumping equipment. However, an open feedlot operation that
23 12 expands the area of its open feedlot on or after April 1, 2011,
23 13 shall not use a nongravity mechanical system that uses pumping
23 14 equipment.

23 15 3. Drainage tile lines may be installed to artificially
23 16 lower the seasonal high-water table at a settled open feedlot
23 17 effluent basin or an unformed animal truck wash effluent
23 18 structure, if all of the following conditions are satisfied:

23 19 a. A device to allow monitoring of the water in the drainage
23 20 tile lines and a device to allow shutoff of the flow in the
23 21 drainage tile lines are installed, if the drainage tile lines
23 22 do not have a surface outlet accessible on the property where
23 23 the basin or unformed structure is located.

23 24 b. Drainage tile lines are installed horizontally at least
23 25 twenty-five feet away from the basin or unformed structure.
23 26 Drainage tile lines shall be placed in a vertical trench and
23 27 encased in granular material which extends upward to the level
23 28 of the seasonal high-water table.

23 29 4. A settled open feedlot effluent basin or an unformed
23 30 animal truck wash effluent structure shall be constructed with

CODE: Specifies the construction requirements for an unformed animal truck wash effluent structure.

23 31 at least four feet between the bottom of the basin or unformed
 23 32 structure and a bedrock formation.
 23 33 5. A settled open feedlot effluent basin or an unformed
 23 34 animal truck wash effluent structure constructed on a
 23 35 floodplain or within a floodway of a river or stream shall
 23 36 comply with rules adopted by the commission.

23 37 Sec. 67. Section 459A.302, subsection 6, unnumbered
 23 38 paragraph 1, Code 2015, as amended by 2015 Iowa Acts, House
 23 39 File 583, section 35, is amended to read as follows:
 23 40 The liner of a settled open feedlot effluent basin or
 23 41 unformed animal truck wash effluent structure shall comply with
 23 42 all of the following:

CODE: Specifies the requirements of a liner of a settled feed lot for an unformed animal truck wash effluent structure.

23 43 Sec. 68. Section 459A.302, subsection 7, Code 2015, as
 24 1 amended by 2015 Iowa Acts, House File 583, section 36, is
 24 2 amended to read as follows:
 24 3 7. The owner of an open feedlot operation using a settled
 24 4 open feedlot effluent basin or animal truck wash facility
 24 5 using an unformed animal truck wash effluent structure shall
 24 6 inspect the berms of the basin or unformed structure at least
 24 7 semiannually for evidence of erosion. If the inspection
 24 8 reveals erosion which may impact the basin's or unformed
 24 9 structure's structural stability or the integrity of the
 24 10 basin's or unformed structure's liner, the owner shall repair
 24 11 the berms.

CODE: Requires the owner of an unformed animal truck wash effluent structure to inspect the berms at least twice a year for erosion and provides procedural details if erosion is found.

24 12 Sec. 69. Section 459A.404, subsection 1, as enacted by 2015
 24 13 Iowa Acts, House File 583, section 41, is amended by adding the
 24 14 following new paragraph:
 24 15 NEW PARAGRAPH 0e. Paragraph "a" or "b" does not apply to a
 24 16 small animal truck wash facility.

CODE: Specifies that the distance limits for constructing an animal truck wash effluent structure do not apply to a small animal truck wash facility.

24 17 DIVISION VII
 24 18 COUNTY COURTHOUSES

24 19 Sec. 70. Section 602.6105, subsection 2, Code 2015, is
 24 20 amended to read as follows:
 24 21 2. In any county having two county seats, court shall be
 24 22 held at each, ~~and, in the county of Pottawattamie, court shall~~
 24 23 ~~be held at Avoca, as well as at the county seat.~~

CODE: Removes the requirement that court proceedings be held in Avoca in Pottawattamie County.

24 24 Sec. 71. REPEAL. 1884 Iowa Acts, chapter 198, is repealed.

CODE: Repeals 1884 Iowa Acts, chapter 198. This is a conforming change to eliminate the requirement that court proceedings be held in Avoca in Pottawattamie County.

24 25 DIVISION VIII
 24 26 IOWA EDUCATION SAVINGS PLAN TRUST

24 27 Sec. 72. Section 422.7, subsection 32, paragraph a, Code
 24 28 2015, is amended to read as follows:
 24 29 a. Subtract the maximum contribution that may be deducted
 24 30 for Iowa income tax purposes as a participant in the Iowa
 24 31 educational savings plan trust pursuant to section 12D.3,
 24 32 subsection 1, paragraph "a". For purposes of this paragraph,
 24 33 a participant who makes a contribution on or before the
 24 34 date prescribed in section 422.21 for making and filing an
 24 35 individual income tax return, excluding extensions, may elect
 24 36 to be deemed to have made the contribution on the last day of
 24 37 the preceding calendar year. The director, after consultation
 24 38 with the treasurer of state, shall prescribe by rule the
 24 39 manner and method by which a participant may make an election
 24 40 authorized by the preceding sentence.

CODE: Extends the deadline for contributions to the Iowa Educational Savings Plan Trust (College Savings Iowa). Currently, contributions must be made by December 31 to allow deductions from Iowa-based income during that tax year. This amendment extends the deadline to April 30 of the following year (also the filing deadline for Iowa income tax returns). The change is retroactive to January 1, 2015, for the 2015 tax year.

FISCAL IMPACT: It is estimated that the College Savings Iowa Plan currently reduces State General Fund revenue by \$7,500,000 per year. This provision is estimated to increase that impact by an additional \$488,000 (6.5%) for tax year 2015 and \$112,000 (1.5%) for each of the following fiscal years.

24 41 Sec. 73. RETROACTIVE APPLICABILITY. This division of this
 24 42 Act applies retroactively to January 1, 2015, for tax years
 24 43 beginning on or after that date.

Provides that this Division is retroactive to January 1, 2015.

25 1 DIVISION IX
 25 2 RENEWABLE FUELS INFRASTRUCTURE PROGRAM

25 3 Sec. 74. Section 159A.14, subsection 1, paragraph a,
 25 4 subparagraph (1), Code 2015, is amended to read as follows:
 25 5 (1) Ethanol infrastructure shall be designed and used
 25 6 exclusively to do any of the following:
 25 7 (a) Store and dispense E-15 gasoline. At least for the
 25 8 period beginning on September 16 and ending on May 31 of each
 25 9 year, the ethanol infrastructure must be used to store and
 25 10 dispense E-15 gasoline as a registered fuel recognized by the
 25 11 United States environmental protection agency.
 25 12 ~~(a) (b)~~ Store and dispense E-85 gasoline.
 25 13 ~~(b) (c)~~ Store, blend, and dispense motor fuel from a motor
 25 14 fuel blender pump, ~~as required in this subparagraph~~ division.
 25 15 The ethanol infrastructure must ~~provide be used~~ for the storage
 25 16 of ethanol or ethanol blended gasoline, or for blending ethanol
 25 17 with gasoline. The ethanol infrastructure must at least
 25 18 include a motor fuel blender pump which dispenses different
 25 19 classifications of ethanol blended gasoline and allows E-85
 25 20 gasoline to be dispensed at all times that the blender pump is
 25 21 operating.

CODE: Specifies that the Renewable Fuel Infrastructure Program can be used for projects that store and dispense E-15 blended gasoline for at least the time period of September 16 to May 31 of each year.

25 22 DIVISION X
 25 23 CLAIMS AGAINST THE STATE AND BY THE STATE

25 24 Sec. 75. Section 8.55, subsection 3, paragraph a, Code 2015,
 25 25 is amended to read as follows:
 25 26 a. Except as provided in paragraphs "b", "c", ~~and~~ "d", and

CODE: Permits State Appeal Board claims to be paid from the Economic Emergency Fund beginning in FY 2016. Under current law, State Appeal Board claims are paid from the General Fund. This

25 27 “0e”, the moneys in the Iowa economic emergency fund shall
 25 28 only be used pursuant to an appropriation made by the general
 25 29 assembly. An appropriation shall only be made for the fiscal
 25 30 year in which the appropriation is made. The moneys shall
 25 31 only be appropriated by the general assembly for emergency
 25 32 expenditures.

25 33 Sec. 76. Section 8.55, subsection 3, Code 2015, is amended
 25 34 by adding the following new paragraph:

25 35 NEW PARAGRAPH 0e. There is appropriated from the Iowa
 25 36 economic emergency fund to the state appeal board an amount
 25 37 sufficient to pay claims authorized by the state appeal board
 25 38 as provided in section 25.2.

25 39 Sec. 77. Section 25.2, subsection 4, Code 2015, is amended
 25 40 to read as follows:

25 41 4. Payments authorized by the state appeal board shall be
 25 42 paid from the appropriation or fund of original certification
 25 43 of the claim. However, if that appropriation or fund has since
 26 1 reverted under section 8.33, then such payment authorized by
 26 2 the state appeal board shall be ~~out of any money in the state~~
 26 3 ~~treasury not otherwise appropriated~~ as follows:

26 4 a. From the appropriation made from the Iowa economic
 26 5 emergency fund in section 8.55 for purposes of paying such
 26 6 expenses.

26 7 b. To the extent the appropriation from the Iowa economic
 26 8 emergency fund described in paragraph “a” is insufficient to
 26 9 pay such expenses, there is appropriated from moneys in the
 26 10 general fund of the state not otherwise appropriated the amount
 26 11 necessary to fund the deficiency.

26 12 DIVISION XI
 26 13 SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INTERNSHIP

26 14 Sec. 78. Section 15.411, subsection 3, Code 2015, is amended
 26 15 to read as follows:

26 16 3. a. The authority shall establish and administer an
 26 17 internship program with two components for Iowa students.
 26 18 To the extent permitted by this subsection, the authority
 26 19 shall administer the two components in as similar a manner as
 26 20 possible. For purposes of this subsection, “Iowa student” means
 26 21 a student of an Iowa community college, private college, or
 26 22 institution of higher learning under the control of the state
 26 23 board of regents, or a student who graduated from high school
 26 24 in Iowa but now attends an institution of higher learning
 26 25 outside the state of Iowa.

26 26 b. The purpose of the first component of the program is
 26 27 to link Iowa students to small and medium sized Iowa firms
 26 28 through internship opportunities. An Iowa employer may receive
 26 29 financial assistance ~~in an amount of one dollar for every~~

change will shift an estimated \$3,000,000 currently budgeted in the
 General Fund for FY 2016 and FY 2017 to the Economic Emergency
 Fund.

CODE: Requires the Iowa Economic Development Authority to
 administer internships related to small and medium sized firms and
 students studying in the field of Science, Technology, Engineering, and
 Mathematics (STEM) in a similar manner. The matching portion of the
 Internship Program is provided on a reimbursement basis and the
 match is 50.00% of the intern’s wage.

26 30 ~~two dollars paid by the employer to an intern on a matching~~
26 31 ~~basis for a portion of the wages paid to an intern. If~~
26 32 ~~providing financial assistance, the authority shall provide~~
26 33 ~~the assistance on a reimbursement basis such that for every~~
26 34 ~~two dollars of wages earned by the student, one dollar paid by~~
26 35 ~~the employer is matched by one dollar from the authority. The~~
26 36 amount of financial assistance shall not exceed three thousand
26 37 one hundred dollars for any single internship, or nine thousand
26 38 three hundred dollars for any single employer. In order to be
26 39 eligible to receive financial assistance under this paragraph,
26 40 the employer must have five hundred or fewer employees and must
26 41 be an innovative business. The authority shall encourage youth
26 42 who reside in economically distressed areas, youth adjudicated
26 43 to have committed a delinquent act, and youth transitioning out
27 1 of foster care to participate in the first component of the
27 2 internship program.

27 3 c. (1) The purpose of the second component of the program
27 4 is to assist in placing Iowa students studying in the fields
27 5 of science, technology, engineering, and mathematics into
27 6 internships that lead to permanent positions with Iowa
27 7 employers. The authority shall collaborate with eligible
27 8 employers, including but not limited to innovative businesses,
27 9 to ensure that the interns hired are studying in such fields.
27 10 An Iowa employer may receive financial assistance ~~in an amount~~
27 11 ~~of one dollar for every dollar paid by the employer to an~~
27 12 ~~intern on a matching basis for a portion of the wages paid to~~
27 13 ~~an intern. If providing financial assistance, the authority~~
27 14 ~~shall provide the assistance on a reimbursement basis such~~
27 15 ~~that for every two dollars of wages earned by the student,~~
27 16 ~~one dollar paid by the employer is matched by one dollar from~~
27 17 ~~the authority.~~ The amount of financial assistance shall not
27 18 exceed five thousand dollars per internship. The authority may
27 19 adopt rules to administer this component. ~~In adopting rules to~~
27 20 ~~administer this component, the authority shall adopt rules as~~
27 21 ~~similar as possible to those adopted pursuant to paragraph "b".~~

27 22 (2) The requirement to administer this component of the
27 23 internship program is contingent upon the provision of funding
27 24 for such purposes by the general assembly.

27 25 Sec. 79. EMERGENCY RULES. The economic development
27 26 authority may adopt emergency rules under section 17A.4,
27 27 subsection 3, and section 17A.5, subsection 2, paragraph "b",
27 28 to implement the provisions of this division of this Act and
27 29 the rules shall be effective immediately upon filing unless
27 30 a later date is specified in the rules. Any rules adopted
27 31 in accordance with this section shall also be published as a
27 32 notice of intended action as provided in section 17A.4.

27 33 Sec. 80. EFFECTIVE UPON ENACTMENT. This division of this

Provides that the Division of this Bill takes effect upon enactment.

27 34 Act, being deemed of immediate importance, takes effect upon
27 35 enactment.

27 36 Sec. 81. RETROACTIVE APPLICABILITY. This division of this
27 37 Act applies retroactively to July 1, 2014.

Provides that the Division of this Bill is retroactively applicable to July 1, 2014.

27 38 DIVISION XII
27 39 INTERSTATE MEDICAL LICENSURE COMPACT

27 40 Sec. 82.NEW SECTION 148G.1 INTERSTATE MEDICAL LICENSURE
27 41 COMPACT.

CODE: Provides for the enactment of the Interstate Medical Licensure Compact to create an expedited licensing reciprocity procedure for physicians licensed in member states. The Compact will become effective and binding when enacted by at least nine states.

27 42 1. PURPOSE.

27 43 a. In order to strengthen access to health care, and in
28 1 recognition of the advances in the delivery of health care,
28 2 the member states of the interstate medical licensure compact
28 3 have allied in common purpose to develop a comprehensive
28 4 process that complements the existing licensing and regulatory
28 5 authority of state medical boards and provides a streamlined
28 6 process that allows physicians to become licensed in multiple
28 7 states, thereby enhancing the portability of a medical license
28 8 and ensuring the safety of patients. The compact creates
28 9 another pathway for licensure and does not otherwise change
28 10 a state's existing medical practice act. The compact also
28 11 adopts the prevailing standard for licensure and affirms that
28 12 the practice of medicine occurs where the patient is located
28 13 at the time of the physician-patient encounter, and therefore,
28 14 requires the physician to be under the jurisdiction of the
28 15 state medical board where the patient is located.

28 16 b. State medical boards that participate in the compact
28 17 retain the jurisdiction to impose an adverse action against
28 18 a license to practice medicine in that state issued to a
28 19 physician through the procedures in the compact.

28 20 2. DEFINITIONS. In this compact:

28 21 a. "Bylaws" means those bylaws established by the interstate
28 22 commission pursuant to subsection 11 for its governance, or for
28 23 directing and controlling its actions and conduct.

28 24 b. "Commissioner" means the voting representative appointed
28 25 by each member board pursuant to subsection 11.

28 26 c. "Conviction" means a finding by a court that
28 27 an individual is guilty of a criminal offense through
28 28 adjudication, or entry of a plea of guilt or no contest to the
28 29 charge by the offender. Evidence of an entry of a conviction
28 30 of a criminal offense by the court shall be considered final
28 31 for purposes of disciplinary action by a member board.

28 32 d. "Expedited license" means a full and unrestricted medical
28 33 license granted by a member state to an eligible physician
28 34 through the process set forth in the compact.

28 35 e. "Interstate commission" means the interstate commission
28 36 created pursuant to this section.

28 37 f. "License" means authorization by a state for a physician
28 38 to engage in the practice of medicine, which would be unlawful
28 39 without the authorization.

28 40 g. "Medical practice act" means laws and regulations
28 41 governing the practice of allopathic and osteopathic medicine
28 42 within a member state.

28 43 h. "Member board" means a state agency in a member state
29 1 that acts in the sovereign interests of the state by protecting
29 2 the public through licensure, regulation, and education of
29 3 physicians as directed by the state government.

29 4 i. "Member state" means a state that has enacted the
29 5 compact.

29 6 j. "Offense" means a felony, gross misdemeanor, or crime of
29 7 moral turpitude.

29 8 k. "Physician" means any person who satisfies all of the
29 9 following:

29 10 (1) Is a graduate of a medical school accredited by the
29 11 liaison committee on medical education, the commission on
29 12 osteopathic college accreditation, or a medical school listed
29 13 in the international medical education directory or its
29 14 equivalent.

29 15 (2) Passed each component of the United States medical
29 16 licensing examination or the comprehensive osteopathic medical
29 17 licensing examination within three attempts, or any of its
29 18 predecessor examinations accepted by a state medical board as
29 19 an equivalent examination for licensure purposes.

29 20 (3) Successfully completed graduate medical education
29 21 approved by the accreditation council for graduate medical
29 22 education or the American osteopathic association.

29 23 (4) Holds specialty certification or a time-unlimited
29 24 specialty certificate recognized by the American board of
29 25 medical specialties or the American osteopathic association's
29 26 bureau of osteopathic specialists.

29 27 (5) Possesses a full and unrestricted license to engage in
29 28 the practice of medicine issued by a member board.

29 29 (6) Has never been convicted, received adjudication,
29 30 deferred adjudication, community supervision, or deferred
29 31 disposition for any offense by a court of appropriate
29 32 jurisdiction.

29 33 (7) Has never held a license authorizing the practice of
29 34 medicine subjected to discipline by a licensing agency in any
29 35 state, federal, or foreign jurisdiction, excluding any action
29 36 related to nonpayment of fees related to a license.

29 37 (8) Has never had a controlled substance license or permit
29 38 suspended or revoked by a state or the United States drug
29 39 enforcement administration.

29 40 (9) Is not under active investigation by a licensing agency
29 41 or law enforcement authority in any state, federal, or foreign
29 42 jurisdiction.

29 43 l. "Practice of medicine" means the clinical prevention,
30 1 diagnosis, or treatment of human disease, injury, or condition
30 2 requiring a physician to obtain and maintain a license in
30 3 compliance with the medical practice act of a member state.

30 4 m. "Rule" means a written statement by the interstate
30 5 commission promulgated pursuant to subsection 12 that is of
30 6 general applicability, implements, interprets, or prescribes
30 7 a policy or provision of the compact, or an organizational,
30 8 procedural, or practice requirement of the interstate
30 9 commission, and has the force and effect of statutory law in a
30 10 member state, and includes the amendment, repeal, or suspension
30 11 of an existing rule.

30 12 n. "State" means any state, commonwealth, district, or
30 13 territory of the United States.

30 14 o. "State of principal license" means a member state where
30 15 a physician holds a license to practice medicine and which
30 16 has been designated as such by the physician for purposes of
30 17 registration and participation in the compact.

30 18 3. ELIGIBILITY.

30 19 a. A physician must meet the eligibility requirements as
30 20 defined in subsection 2, paragraph "k", to receive an expedited
30 21 license under the terms and provisions of the compact.

30 22 b. A physician who does not meet the requirements of
30 23 subsection 2, paragraph "k", may obtain a license to practice
30 24 medicine in a member state if the individual complies with all
30 25 laws and requirements, other than the compact, relating to the
30 26 issuance of a license to practice medicine in that state.

30 27 4. DESIGNATION OF STATE OF PRINCIPAL LICENSE.

30 28 a. A physician shall designate a member state as the state
30 29 of principal license for purposes of registration for expedited
30 30 licensure through the compact if the physician possesses a full
30 31 and unrestricted license to practice medicine in that state,
30 32 and the state is:

30 33 (1) The state of primary residence for the physician, or
30 34 (2) The state where at least twenty-five percent of the
30 35 practice of medicine occurs, or
30 36 (3) The location of the physician's employer, or
30 37 (4) If no state qualifies under subparagraph (1),
30 38 subparagraph (2), or subparagraph (3), the state designated as
30 39 state of residence for purposes of federal income tax.

30 40 b. A physician may redesignate a member state as the state
30 41 of principal license at any time, as long as the state meets
30 42 the requirements in paragraph "a".

30 43 c. The interstate commission is authorized to develop rules
31 1 to facilitate redesignation of another member state as the

31 2 state of principal license.

31 3 5. APPLICATION AND ISSUANCE OF EXPEDITED LICENSURE.

31 4 a. A physician seeking licensure through the compact shall

31 5 file an application for an expedited license with the member

31 6 board of the state selected by the physician as the state of

31 7 principal license.

31 8 b. Upon receipt of an application for an expedited

31 9 license, the member board within the state selected as

31 10 the state of principal license shall evaluate whether the

31 11 physician is eligible for expedited licensure and issue a

31 12 letter of qualification, verifying or denying the physician's

31 13 eligibility, to the interstate commission.

31 14 (1) Static qualifications, which include verification of

31 15 medical education, graduate medical education, results of any

31 16 medical or licensing examination, and other qualifications as

31 17 determined by the interstate commission through rule, shall

31 18 not be subject to additional primary source verification where

31 19 already primary source-verified by the state of principal

31 20 license.

31 21 (2) The member board within the state selected as the

31 22 state of principal license shall, in the course of verifying

31 23 eligibility, perform a criminal background check of an

31 24 applicant, including the use of the results of fingerprint or

31 25 other biometric data checks compliant with the requirements

31 26 of the federal bureau of investigation, with the exception

31 27 of federal employees who have suitability determination in

31 28 accordance with 5 C.F.R. §731.202.

31 29 (3) Appeal on the determination of eligibility shall be made

31 30 to the member state where the application was filed and shall

31 31 be subject to the law of that state.

31 32 c. Upon verification in paragraph "b", physicians eligible

31 33 for an expedited license shall complete the registration

31 34 process established by the interstate commission to receive a

31 35 license in a member state selected pursuant to paragraph "a",

31 36 including the payment of any applicable fees.

31 37 d. After receiving verification of eligibility under

31 38 paragraph "b" and any fees under paragraph "c", a member board

31 39 shall issue an expedited license to the physician. This

31 40 license shall authorize the physician to practice medicine in

31 41 the issuing state consistent with the medical practice act and

31 42 all applicable laws and regulations of the issuing member board

31 43 and member state.

32 1 e. An expedited license shall be valid for a period

32 2 consistent with the licensure period in the member state and in

32 3 the same manner as required for other physicians holding a full

32 4 and unrestricted license within the member state.

32 5 f. An expedited license obtained through the compact shall

32 6 be terminated if a physician fails to maintain a license in

32 7 the state of principal license for a nondisciplinary reason,
32 8 without redesignation of a new state of principal license.

32 9 g. The interstate commission is authorized to develop rules
32 10 regarding the application process, including payment of any
32 11 applicable fees, and the issuance of an expedited license.

32 12 6. FEES FOR EXPEDITED LICENSURE.

32 13 a. A member state issuing an expedited license authorizing
32 14 the practice of medicine in that state may impose a fee for a
32 15 license issued or renewed through the compact.

32 16 b. The interstate commission is authorized to develop rules
32 17 regarding fees for expedited licenses.

32 18 7. RENEWAL AND CONTINUED PARTICIPATION.

32 19 a. A physician seeking to renew an expedited license granted
32 20 in a member state shall complete a renewal process with the
32 21 interstate commission if the physician satisfies the following:

32 22 (1) Maintains a full and unrestricted license in a state of
32 23 principal license.

32 24 (2) Has not been convicted, received adjudication, deferred
32 25 adjudication, community supervision, or deferred disposition
32 26 for any offense by a court of appropriate jurisdiction.

32 27 (3) Has not had a license authorizing the practice of
32 28 medicine subject to discipline by a licensing agency in any
32 29 state, federal, or foreign jurisdiction, excluding any action
32 30 related to nonpayment of fees related to a license.

32 31 (4) Has not had a controlled substance license or permit
32 32 suspended or revoked by a state or the United States drug
32 33 enforcement administration.

32 34 b. Physicians shall comply with all continuing professional
32 35 development or continuing medical education requirements for
32 36 renewal of a license issued by a member state.

32 37 c. The interstate commission shall collect any renewal fees
32 38 charged for the renewal of a license and distribute the fees
32 39 to the applicable member board.

32 40 d. Upon receipt of any renewal fees collected in paragraph
32 41 "c", a member board shall renew the physician's license.

32 42 e. Physician information collected by the interstate
32 43 commission during the renewal process will be distributed to
33 1 all member boards.

33 2 f. The interstate commission is authorized to develop rules
33 3 to address renewal of licenses obtained through the compact.

33 4 8. COORDINATED INFORMATION SYSTEM.

33 5 a. The interstate commission shall establish a database of
33 6 all physicians licensed, or who have applied for licensure,
33 7 under subsection 5.

33 8 b. Notwithstanding any other provision of law, member boards
33 9 shall report to the interstate commission any public action
33 10 or complaints against a licensed physician who has applied or
33 11 received an expedited license through the compact.

33 12 c. Member boards shall report disciplinary or investigatory
33 13 information determined as necessary and proper by rule of the
33 14 interstate commission.

33 15 d. Member boards may report any nonpublic complaint,
33 16 disciplinary, or investigatory information not required by
33 17 paragraph "c" to the interstate commission.

33 18 e. Member boards shall share complaint or disciplinary
33 19 information about a physician upon request of another member
33 20 board.

33 21 f. All information provided to the interstate commission or
33 22 distributed by member boards shall be confidential, filed under
33 23 seal, and used only for investigatory or disciplinary matters.

33 24 g. The interstate commission is authorized to develop rules
33 25 for mandated or discretionary sharing of information by member
33 26 boards.

33 27 9. JOINT INVESTIGATIONS.

33 28 a. Licensure and disciplinary records of physicians are
33 29 deemed investigative.

33 30 b. In addition to the authority granted to a member board by
33 31 its respective medical practice Act or other applicable state
33 32 law, a member board may participate with other member boards
33 33 in joint investigations of physicians licensed by the member
33 34 boards.

33 35 c. A subpoena issued by a member state shall be enforceable
33 36 in other member states.

33 37 d. Member boards may share any investigative, litigation, or
33 38 compliance materials in furtherance of any joint or individual
33 39 investigation initiated under the compact.

33 40 e. Any member state may investigate actual or alleged
33 41 violations of the statutes authorizing the practice of medicine
33 42 in any other member state in which a physician holds a license
33 43 to practice medicine.

34 1 10. DISCIPLINARY ACTIONS.

34 2 a. Any disciplinary action taken by any member board against
34 3 a physician licensed through the compact shall be deemed
34 4 unprofessional conduct which may be subject to discipline
34 5 by other member boards, in addition to any violation of the
34 6 medical practice Act or regulations in that state.

34 7 b. If a license granted to a physician by the member board
34 8 in the state of principal license is revoked, surrendered,
34 9 or relinquished in lieu of discipline, or suspended, then
34 10 all licenses issued to the physician by member boards shall
34 11 automatically be placed, without further action necessary by
34 12 any member board, on the same status. If the member board
34 13 in the state of principal license subsequently reinstates
34 14 the physician's license, a license issued to the physician
34 15 by any other member board shall remain encumbered until that
34 16 respective member board takes action to reinstate the license

34 17 in a manner consistent with the medical practice Act of that
34 18 state.
34 19 c. If disciplinary action is taken against a physician by a
34 20 member board not in the state of principal license, any other
34 21 member board may deem the action conclusive as to matter of law
34 22 and fact decided and either:

34 23 (1) Impose the same or lesser sanctions against the
34 24 physician so long as such sanctions are consistent with the
34 25 medical practice Act of that state, or

34 26 (2) Pursue separate disciplinary action against the
34 27 physician under its respective medical practice Act, regardless
34 28 of the action taken in other member states.

34 29 d. If a license granted to a physician by a member board is
34 30 revoked, surrendered, or relinquished in lieu of discipline,
34 31 or suspended, then any licenses issued to the physician by
34 32 any other member boards shall be suspended, automatically and
34 33 immediately without further action necessary by the other
34 34 member boards, for ninety days upon entry of the order by the
34 35 disciplining board, to permit the member boards to investigate
34 36 the basis for the action under the medical practice Act of that
34 37 state. A member board may terminate the automatic suspension
34 38 of the license it issued prior to the completion of the
34 39 ninety-day suspension period in a manner consistent with the
34 40 medical practice Act of that state.

34 41 11. INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION.

34 42 a. The member states hereby create the interstate medical
34 43 licensure compact commission.

35 1 b. The purpose of the interstate commission is the
35 2 administration of the interstate medical licensure compact,
35 3 which is a discretionary state function.

35 4 c. The interstate commission shall be a body corporate
35 5 and joint agency of the member states and shall have all the
35 6 responsibilities, powers, and duties set forth in the compact,
35 7 and such additional powers as may be conferred upon it by a
35 8 subsequent concurrent action of the respective legislatures of
35 9 the member states in accordance with the terms of the compact.

35 10 d. The interstate commission shall consist of two voting
35 11 representatives appointed by each member state who shall serve
35 12 as commissioners. In states where allopathic and osteopathic
35 13 physicians are regulated by separate member boards, or if
35 14 the licensing and disciplinary authority is split between
35 15 multiple member boards within a member state, the member state
35 16 shall appoint one representative from each member board. A
35 17 commissioner shall be one of the following:

35 18 (1) An allopathic or osteopathic physician appointed to a
35 19 member board.

35 20 (2) An executive director, executive secretary, or similar
35 21 executive of a member board.

35 22 (3) A member of the public appointed to a member board.
35 23 e. The interstate commission shall meet at least once each
35 24 calendar year. A portion of this meeting shall be a business
35 25 meeting to address such matters as may properly come before
35 26 the commission, including the election of officers. The
35 27 chairperson may call additional meetings and shall call for a
35 28 meeting upon the request of a majority of the member states.
35 29 f. The bylaws may provide for meetings of the interstate
35 30 commission to be conducted by telecommunication or electronic
35 31 communication.
35 32 g. Each commissioner participating at a meeting of the
35 33 interstate commission is entitled to one vote. A majority of
35 34 commissioners shall constitute a quorum for the transaction
35 35 of business, unless a larger quorum is required by the bylaws
35 36 of the interstate commission. A commissioner shall not
35 37 delegate a vote to another commissioner. In the absence of its
35 38 commissioner, a member state may delegate voting authority for
35 39 a specified meeting to another person from that state who shall
35 40 meet the requirements of paragraph "d".
35 41 h. The interstate commission shall provide public notice
35 42 of all meetings and all meetings shall be open to the public.
35 43 The interstate commission may close a meeting, in full or
36 1 in portion, where it determines by a two-thirds vote of the
36 2 commissioners present that an open meeting would be likely to
36 3 result in one or more of the following:
36 4 (1) Relate solely to the internal personnel practices and
36 5 procedures of the interstate commission.
36 6 (2) Discuss matters specifically exempted from disclosure
36 7 by federal statute.
36 8 (3) Discuss trade secrets, commercial, or financial
36 9 information that is privileged or confidential.
36 10 (4) Involve accusing a person of a crime, or formally
36 11 censuring a person.
36 12 (5) Discuss information of a personal nature where
36 13 disclosure would constitute a clearly unwarranted invasion of
36 14 personal privacy.
36 15 (6) Discuss investigative records compiled for law
36 16 enforcement purposes.
36 17 (7) Specifically relate to the participation in a civil
36 18 action or other legal proceeding.
36 19 i. The interstate commission shall keep minutes which shall
36 20 fully describe all matters discussed in a meeting and shall
36 21 provide a full and accurate summary of actions taken, including
36 22 record of any roll call votes.
36 23 j. The interstate commission shall make its information
36 24 and official records, to the extent not otherwise designated
36 25 in the compact or by its rules, available to the public for
36 26 inspection.

36 27 k. The interstate commission shall establish an executive
36 28 committee, which shall include officers, members, and others as
36 29 determined by the bylaws. The executive committee shall have
36 30 the power to act on behalf of the interstate commission, with
36 31 the exception of rulemaking, during periods when the interstate
36 32 commission is not in session. When acting on behalf of the
36 33 interstate commission, the executive committee shall oversee
36 34 the administration of the compact including enforcement and
36 35 compliance with the provisions of the compact, its bylaws and
36 36 rules, and other such duties as necessary.

36 37 l. The interstate commission may establish other committees
36 38 for governance and administration of the compact.

36 39 12. POWERS AND DUTIES OF THE INTERSTATE COMMISSION. The
36 40 interstate commission shall have power to perform the following
36 41 functions:

36 42 a. Oversee and maintain the administration of the compact.

36 43 b. Promulgate rules which shall be binding to the extent and
37 1 in the manner provided for in the compact.

37 2 c. Issue, upon the request of a member state or
37 3 member board, advisory opinions concerning the meaning or
37 4 interpretation of the compact, its bylaws, rules, and actions.

37 5 d. Enforce compliance with compact provisions, the rules
37 6 promulgated by the interstate commission, and the bylaws, using
37 7 all necessary and proper means, including but not limited to
37 8 the use of judicial process.

37 9 e. Establish and appoint committees including but not
37 10 limited to an executive committee as required by subsection 11,
37 11 which shall have the power to act on behalf of the interstate
37 12 commission in carrying out its powers and duties.

37 13 f. Pay, or provide for the payment of, the expenses related
37 14 to the establishment, organization, and ongoing activities of
37 15 the interstate commission.

37 16 g. Establish and maintain one or more offices.

37 17 h. Borrow, accept, hire, or contract for services of
37 18 personnel.

37 19 i. Purchase and maintain insurance and bonds.

37 20 j. Employ an executive director who shall have such
37 21 powers to employ, select, or appoint employees, agents, or
37 22 consultants, and to determine their qualifications, define
37 23 their duties, and fix their compensation.

37 24 k. Establish personnel policies and programs relating
37 25 to conflicts of interest, rates of compensation, and
37 26 qualifications of personnel.

37 27 l. Accept donations and grants of money, equipment,
37 28 supplies, materials, and services, and to receive, utilize, and
37 29 dispose of the same in a manner consistent with the conflict of
37 30 interest policies established by the interstate commission.

37 31 m. Lease, purchase, accept contributions or donations of, or

37 32 otherwise to own, hold, improve, or use, any property, real,
37 33 personal, or mixed.

37 34 n. Sell, convey, mortgage, pledge, lease, exchange, abandon,
37 35 or otherwise dispose of any property, real, personal, or mixed.

37 36 o. Establish a budget and make expenditures.

37 37 p. Adopt a seal and bylaws governing the management and
37 38 operation of the interstate commission.

37 39 q. Report annually to the legislatures and governors of
37 40 the member states concerning the activities of the interstate
37 41 commission during the preceding year. Such reports shall also
37 42 include reports of financial audits and any recommendations
37 43 that may have been adopted by the interstate commission.

38 1 r. Coordinate education, training, and public awareness
38 2 regarding the compact, its implementation, and its operation.

38 3 s. Maintain records in accordance with the bylaws.

38 4 t. Seek and obtain trademarks, copyrights, and patents.

38 5 u. Perform such functions as may be necessary or appropriate
38 6 to achieve the purposes of the compact.

38 7 13. FINANCE POWERS.

38 8 a. The interstate commission may levy on and collect an
38 9 annual assessment from each member state to cover the cost of
38 10 the operations and activities of the interstate commission and
38 11 its staff. The total assessment must be sufficient to cover
38 12 the annual budget approved each year for which revenue is not
38 13 provided by other sources. The aggregate annual assessment
38 14 amount shall be allocated upon a formula to be determined
38 15 by the interstate commission, which shall promulgate a rule
38 16 binding upon all member states.

38 17 b. The interstate commission shall not incur obligations of
38 18 any kind prior to securing the funds adequate to meet the same.

38 19 c. The interstate commission shall not pledge the credit of
38 20 any of the member states, except by, and with the authority of,
38 21 the member state.

38 22 d. The interstate commission shall be subject to a yearly
38 23 financial audit conducted by a certified or licensed public
38 24 accountant and the report of the audit shall be included in the
38 25 annual report of the interstate commission.

38 26 14. ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION.

38 27 a. The interstate commission shall, by a majority of
38 28 commissioners present and voting, adopt bylaws to govern its
38 29 conduct as may be necessary or appropriate to carry out the
38 30 purposes of the compact within twelve months of the first
38 31 interstate commission meeting.

38 32 b. The interstate commission shall elect or appoint annually
38 33 from among its commissioners a chairperson, a vice chairperson,
38 34 and a treasurer, each of whom shall have such authority and
38 35 duties as may be specified in the bylaws. The chairperson,
38 36 or in the chairperson's absence or disability, the vice

38 37 chairperson, shall preside at all meetings of the interstate
38 38 commission.

38 39 c. Officers selected in paragraph "b" shall serve without
38 40 remuneration from the interstate commission.

38 41 d. The officers and employees of the interstate commission
38 42 shall be immune from suit and liability, either personally or
38 43 in their official capacity, for a claim for damage to or loss
39 1 of property or personal injury or other civil liability caused
39 2 or arising out of, or relating to, an actual or alleged act,
39 3 error, or omission that occurred, or that such person had a
39 4 reasonable basis for believing occurred, within the scope of
39 5 interstate commission employment, duties, or responsibilities,
39 6 provided that such person shall not be protected from suit or
39 7 liability for damage, loss, injury, or liability caused by the
39 8 intentional or willful and wanton misconduct of such person.

39 9 (1) The liability of the executive director and employees of
39 10 the interstate commission or representatives of the interstate
39 11 commission, acting within the scope of such person's employment
39 12 or duties for acts, errors, or omissions occurring within such
39 13 person's state, may not exceed the limits of liability set
39 14 forth under the constitution and laws of that state for state
39 15 officials, employees, and agents. The interstate commission
39 16 is considered to be an instrumentality of the states for
39 17 the purposes of any such action. Nothing in this paragraph
39 18 "d" shall be construed to protect such person from suit or
39 19 liability for damage, loss, injury, or liability caused by the
39 20 intentional or willful and wanton misconduct of such person.

39 21 (2) The interstate commission shall defend the executive
39 22 director, its employees, and subject to the approval of
39 23 the attorney general or other appropriate legal counsel of
39 24 the member state represented by an interstate commission
39 25 representative, shall defend such interstate commission
39 26 representative in any civil action seeking to impose liability
39 27 arising out of an actual or alleged act, error, or omission
39 28 that occurred within the scope of interstate commission
39 29 employment, duties, or responsibilities, or that the defendant
39 30 had a reasonable basis for believing occurred within the
39 31 scope of interstate commission employment, duties, or
39 32 responsibilities, provided that the actual or alleged act,
39 33 error, or omission did not result from intentional or willful
39 34 and wanton misconduct on the part of such person.

39 35 (3) To the extent not covered by the state involved, member
39 36 state, or the interstate commission, the representatives or
39 37 employees of the interstate commission shall be held harmless
39 38 in the amount of a settlement or judgment, including attorney
39 39 fees and costs, obtained against such persons arising out of
39 40 an actual or alleged act, error, or omission that occurred
39 41 within the scope of interstate commission employment, duties,

39 42 or responsibilities, or that such persons had a reasonable
39 43 basis for believing occurred within the scope of interstate
40 1 commission employment, duties, or responsibilities, provided
40 2 that the actual or alleged act, error, or omission did not
40 3 result from intentional or willful and wanton misconduct on the
40 4 part of such persons.

40 5 15. RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION.

40 6 a. The interstate commission shall promulgate reasonable
40 7 rules in order to effectively and efficiently achieve the
40 8 purposes of the compact. Notwithstanding the foregoing, in
40 9 the event the interstate commission exercises its rulemaking
40 10 authority in a manner that is beyond the scope of the purposes
40 11 of the compact, or the powers granted hereunder, then such an
40 12 action by the interstate commission shall be invalid and have
40 13 no force or effect.

40 14 b. Rules deemed appropriate for the operations of the
40 15 interstate commission shall be made pursuant to a rulemaking
40 16 process that substantially conforms to the model state
40 17 administrative procedure Act of 2010, and subsequent amendments
40 18 thereto.

40 19 c. Not later than thirty days after a rule is promulgated,
40 20 any person may file a petition for judicial review of the
40 21 rule in the United States district court for the District
40 22 of Columbia or the federal district where the interstate
40 23 commission has its principal offices, provided that the filing
40 24 of such a petition shall not stay or otherwise prevent the
40 25 rule from becoming effective unless the court finds that the
40 26 petitioner has a substantial likelihood of success. The
40 27 court shall give deference to the actions of the interstate
40 28 commission consistent with applicable law and shall not find
40 29 the rule to be unlawful if the rule represents a reasonable
40 30 exercise of the authority granted to the interstate commission.

40 31 16. OVERSIGHT OF INTERSTATE COMPACT.

40 32 a. The executive, legislative, and judicial branches
40 33 of state government in each member state shall enforce the
40 34 compact and shall take all actions necessary and appropriate to
40 35 effectuate the compact's purposes and intent. The provisions
40 36 of the compact and the rules promulgated hereunder shall have
40 37 standing as statutory law but shall not override existing state
40 38 authority to regulate the practice of medicine.

40 39 b. All courts shall take judicial notice of the compact and
40 40 the rules in any judicial or administrative proceeding in a
40 41 member state pertaining to the subject matter of the compact
40 42 which may affect the powers, responsibilities, or actions of
40 43 the interstate commission.

41 1 c. The interstate commission shall be entitled to receive
41 2 all service of process in any such proceeding, and shall have
41 3 standing to intervene in the proceeding for all purposes.

41 4 Failure to provide service of process to the interstate
41 5 commission shall render a judgment or order void as to the
41 6 interstate commission, the compact, or promulgated rules.
41 7 17. ENFORCEMENT OF INTERSTATE COMPACT.
41 8 a. The interstate commission, in the reasonable exercise of
41 9 its discretion, shall enforce the provisions and rules of the
41 10 compact.
41 11 b. The interstate commission may, by majority vote of
41 12 the commissioners, initiate legal action in the United
41 13 States district court for the District of Columbia, or, at
41 14 the discretion of the interstate commission, in the federal
41 15 district where the interstate commission has its principal
41 16 offices, to enforce compliance with the provisions of the
41 17 compact, and its promulgated rules and bylaws, against a
41 18 member state in default. The relief sought may include
41 19 both injunctive relief and damages. In the event judicial
41 20 enforcement is necessary, the prevailing party shall be awarded
41 21 all costs of such litigation including reasonable attorney
41 22 fees.
41 23 c. The remedies herein shall not be the exclusive remedies
41 24 of the interstate commission. The interstate commission may
41 25 avail itself of any other remedies available under state law or
41 26 the regulation of a profession.
41 27 18. DEFAULT PROCEDURES.
41 28 a. The grounds for default include but are not limited
41 29 to failure of a member state to perform such obligations or
41 30 responsibilities imposed upon it by the compact, or the rules
41 31 and bylaws of the interstate commission promulgated under the
41 32 compact.
41 33 b. If the interstate commission determines that a member
41 34 state has defaulted in the performance of its obligations
41 35 or responsibilities under the compact, or the bylaws or
41 36 promulgated rules, the interstate commission shall do the
41 37 following:
41 38 (1) Provide written notice to the defaulting state and other
41 39 member states of the nature of the default, the means of curing
41 40 the default, and any action taken by the interstate commission.
41 41 The interstate commission shall specify the conditions by which
41 42 the defaulting state must cure its default.
41 43 (2) Provide remedial training and specific technical
42 1 assistance regarding the default.
42 2 c. If the defaulting state fails to cure the default, the
42 3 defaulting state shall be terminated from the compact upon an
42 4 affirmative vote of a majority of the commissioners and all
42 5 rights, privileges, and benefits conferred by the compact shall
42 6 terminate on the effective date of termination. A cure of the
42 7 default does not relieve the offending state of obligations or
42 8 liabilities incurred during the period of the default.

42 9 d. Termination of membership in the compact shall be imposed
42 10 only after all other means of securing compliance have been
42 11 exhausted. Notice of intent to terminate shall be given by
42 12 the interstate commission to the governor, the majority and
42 13 minority leaders of the defaulting state's legislature, and
42 14 each of the member states.

42 15 e. The interstate commission shall establish rules and
42 16 procedures to address licenses and physicians that are
42 17 materially impacted by the termination of a member state, or
42 18 the withdrawal of a member state.

42 19 f. The member state which has been terminated is responsible
42 20 for all dues, obligations, and liabilities incurred through
42 21 the effective date of termination including obligations, the
42 22 performance of which extends beyond the effective date of
42 23 termination.

42 24 g. The interstate commission shall not bear any costs
42 25 relating to any state that has been found to be in default or
42 26 which has been terminated from the compact, unless otherwise
42 27 mutually agreed upon in writing between the interstate
42 28 commission and the defaulting state.

42 29 h. The defaulting state may appeal the action of the
42 30 interstate commission by petitioning the United States district
42 31 court for the District of Columbia or the federal district
42 32 where the interstate commission has its principal offices. The
42 33 prevailing party shall be awarded all costs of such litigation
42 34 including reasonable attorney fees.

42 35 19. DISPUTE RESOLUTION.

42 36 a. The interstate commission shall attempt, upon the request
42 37 of a member state, to resolve disputes which are subject to
42 38 the compact and which may arise among member states or member
42 39 boards.

42 40 b. The interstate commission shall promulgate rules
42 41 providing for both mediation and binding dispute resolution as
42 42 appropriate.

42 43 20. MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT.

43 1 a. Any state is eligible to become a member state of the
43 2 compact.

43 3 b. The compact shall become effective and binding upon
43 4 legislative enactment of the compact into law by no less than
43 5 seven states. Thereafter, it shall become effective and
43 6 binding on a state upon enactment of the compact into law by
43 7 that state.

43 8 c. The governors of nonmember states, or their designees,
43 9 shall be invited to participate in the activities of the
43 10 interstate commission on a nonvoting basis prior to adoption
43 11 of the compact by all states.

43 12 d. The interstate commission may propose amendments to the
43 13 compact for enactment by the member states. No amendment shall

43 14 become effective and binding upon the interstate commission and
43 15 the member states unless and until it is enacted into law by
43 16 unanimous consent of the member states.

43 17 21. WITHDRAWAL.

43 18 a. Once effective, the compact shall continue in force and
43 19 remain binding upon each and every member state, provided that
43 20 a member state may withdraw from the compact by specifically
43 21 repealing the statute which enacted the compact into law.

43 22 b. Withdrawal from the compact shall be by the enactment
43 23 of a statute repealing the same, but shall not take effect
43 24 until one year after the effective date of such statute and
43 25 until written notice of the withdrawal has been given by the
43 26 withdrawing state to the governor of each other member state.

43 27 c. The withdrawing state shall immediately notify the
43 28 chairperson of the interstate commission in writing upon the
43 29 introduction of legislation repealing the compact in the
43 30 withdrawing state.

43 31 d. The interstate commission shall notify the other member
43 32 states of the withdrawing state's intent to withdraw within
43 33 sixty days of its receipt of notice provided under paragraph
43 34 "c".

43 35 e. The withdrawing state is responsible for all dues,
43 36 obligations, and liabilities incurred through the effective
43 37 date of withdrawal, including obligations, the performance of
43 38 which extend beyond the effective date of withdrawal.

43 39 f. Reinstatement following withdrawal of a member state
43 40 shall occur upon the withdrawing state reenacting the compact
43 41 or upon such later date as determined by the interstate
43 42 commission.

43 43 g. The interstate commission is authorized to develop
44 1 rules to address the impact of the withdrawal of a member
44 2 state on licenses granted in other member states to physicians
44 3 who designated the withdrawing member state as the state of
44 4 principal license.

44 5 22. DISSOLUTION.

44 6 a. The compact shall dissolve effective upon the date of
44 7 the withdrawal or default of the member state which reduces the
44 8 membership in the compact to one member state.

44 9 b. Upon the dissolution of the compact, the compact becomes
44 10 null and void and shall be of no further force or effect, and
44 11 the business and affairs of the interstate commission shall be
44 12 concluded and surplus funds shall be distributed in accordance
44 13 with the bylaws.

44 14 23. SEVERABILITY AND CONSTRUCTION.

44 15 a. The provisions of the compact shall be severable,
44 16 and if any phrase, clause, sentence, or provision is deemed
44 17 unenforceable, the remaining provisions of the compact shall
44 18 be enforceable.

44 19 b. The provisions of the compact shall be liberally
44 20 construed to effectuate its purposes.

44 21 c. Nothing in the compact shall be construed to prohibit the
44 22 applicability of other interstate compacts to which the states
44 23 are members.

44 24 24. BINDING EFFECT OF COMPACT AND OTHER LAWS.

44 25 a. Nothing herein prevents the enforcement of any other law
44 26 of a member state that is not inconsistent with the compact.

44 27 b. All laws in a member state in conflict with the compact
44 28 are superseded to the extent of the conflict.

44 29 c. All lawful actions of the interstate commission,
44 30 including all rules and bylaws promulgated by the commission,
44 31 are binding upon the member states.

44 32 d. All agreements between the interstate commission and the
44 33 member states are binding in accordance with their terms.

44 34 e. In the event any provision of the compact exceeds the
44 35 constitutional limits imposed on the legislature of any member
44 36 state, such provision shall be ineffective to the extent of the
44 37 conflict with the constitutional provision in question in that
44 38 member state.

44 39 DIVISION XIII
44 40 ENTREPRENEUR INVESTMENT AWARDS PROGRAM

44 41 Sec. 83. Section 15E.362, Code 2015, is amended by striking
44 42 the section and inserting in lieu thereof the following:
44 43 15E.362 ENTREPRENEUR INVESTMENT AWARDS PROGRAM.

45 1 1. For purposes of this division, unless the context
45 2 otherwise requires:

45 3 a. "Business development services" includes but is not
45 4 limited to corporate development services, business model
45 5 development services, business planning services, marketing
45 6 services, financial strategies and management services,
45 7 mentoring and management coaching, and networking services.

45 8 b. "Eligible entrepreneurial assistance provider" means a
45 9 person meeting the requirements of subsection 3.

45 10 c. "Financial assistance" means the same as defined in
45 11 section 15.327.

45 12 d. "Program" means the entrepreneur investment awards
45 13 program administered pursuant to this division.

45 14 2. The authority shall establish and administer an
45 15 entrepreneur investment awards program for purposes of
45 16 providing financial assistance to eligible entrepreneurial
45 17 assistance providers that provide technical and financial
45 18 assistance to entrepreneurs and start-up companies seeking to
45 19 create, locate, or expand a business in the state. Financial
45 20 assistance under the program shall be provided from the
45 21 entrepreneur investment awards program fund created in section

CODE: Extends the Entrepreneur Investment Awards Program. Under current law, grants under the Program ceased existence on June 30, 2014.

DETAIL: The Program is financed by the IEDA from the High Quality Jobs Creation Fund.

45 22 15E.363.

45 23 3. In order to be eligible for financial assistance under
45 24 the program an entrepreneurial assistance provider must meet
45 25 all of the following requirements:

45 26 a. The provider must have its principal place of operations
45 27 located in this state.

45 28 b. The provider must offer a comprehensive set of business
45 29 development services to emerging and early-stage innovation
45 30 companies to assist in the creation, location, growth, and
45 31 long-term success of the company in this state.

45 32 c. The business development services may be performed at the
45 33 physical location of the provider or the company.

45 34 d. The business development services may be provided in
45 35 consideration of equity participation in the company, a fee
45 36 for services, a membership agreement with the company, or any
45 37 combination thereof.

45 38 4. Entrepreneurial assistance providers may apply for
45 39 financial assistance under the program in the manner and form
45 40 prescribed by the authority.

45 41 5. The economic development authority board in its
45 42 discretion may approve, deny, or defer each application
45 43 for financial assistance under the program from persons
46 1 it determines to be an eligible entrepreneurial assistance
46 2 provider.

46 3 6. Subject to subsection 7, the amount of financial
46 4 assistance awarded to an eligible entrepreneurial assistance
46 5 provider shall be within the discretion of the authority.

46 6 7. a. The maximum amount of financial assistance awarded
46 7 to an eligible entrepreneurial assistance provider shall not
46 8 exceed two hundred thousand dollars.

46 9 b. The maximum amount of financial assistance provided under
46 10 the program shall not exceed one million dollars in a fiscal
46 11 year.

46 12 8. The authority shall award financial assistance on a
46 13 competitive basis. In making awards of financial assistance,
46 14 the authority may develop scoring criteria and establish
46 15 minimum requirements for the receipt of financial assistance
46 16 under the program. In making awards of financial assistance,
46 17 the authority may consider all of the following:

46 18 a. The business experience of the professional staff
46 19 employed or retained by the eligible entrepreneurial assistance
46 20 provider.

46 21 b. The business plan review capacity of the professional
46 22 staff of the eligible entrepreneurial assistance provider.

46 23 c. The expertise in all aspects of business disciplines
46 24 of the professional staff of the eligible entrepreneurial
46 25 assistance provider.

46 26 d. The access of the eligible entrepreneurial assistance

46 27 provider to external service providers, including legal,
 46 28 accounting, marketing, and financial services.
 46 29 e. The service model and likelihood of success of the
 46 30 eligible entrepreneurial assistance provider and its similarity
 46 31 to other successful entrepreneurial assistance providers in the
 46 32 country.

46 33 f. The financial need of the eligible entrepreneurial
 46 34 assistance provider.

46 35 9. Financial assistance awarded to an eligible
 46 36 entrepreneurial assistance provider shall only be used for
 46 37 the purpose of operating costs incurred by the eligible
 46 38 entrepreneurial assistance provider in providing business
 46 39 development services to emerging and early-stage innovation
 46 40 companies in this state. Such financial assistance shall not
 46 41 be distributed to owners or investors of the company to which
 46 42 business development services are provided and shall not be
 46 43 distributed to other persons assisting with the provision of
 47 1 business development services to the company.

47 2 10. The authority may contract with outside service
 47 3 providers for assistance with the program or may delegate
 47 4 the administration of the program to the Iowa innovation
 47 5 corporation pursuant to section 15.106B.

47 6 11. The authority may make client referrals to eligible
 47 7 entrepreneurial assistance providers.

47 8 Sec. 84. Section 15E.363, subsection 3, Code 2015, is
 47 9 amended to read as follows:

47 10 3.—~~The Moneys credited to the fund are appropriated to~~
 47 11 ~~the authority and shall be used to provide grants under the~~
 47 12 ~~entrepreneur investment awards program established in section~~
 47 13 ~~15E.362 financial assistance under the program.~~

47 14 DIVISION XIV
 47 15 HOUSING ENTERPRISE TAX CREDIT

47 16 Sec. 85. 2014 Iowa Acts, chapter 1130, is amended by adding
 47 17 the following new section:

47 18 NEW SECTION SEC. 41A. Notwithstanding the section of
 47 19 this Act repealing section 15E.193B, the economic development
 47 20 authority may enter into an agreement and issue housing
 47 21 enterprise tax credits to a housing business if all the
 47 22 following conditions are met:

47 23 1. The city or county in which the enterprise zone is
 47 24 located mailed, or caused to be mailed, the necessary program
 47 25 application forms on or after June 1, 2014, and prior to July
 47 26 1, 2014, but the applications were not received by the economic
 47 27 development authority. The economic development authority may
 47 28 accept an affidavit by a city to confirm timely mailing of the
 47 29 application forms, notwithstanding section 622.105.

CODE: Permits the Iowa Economic Development Authority (IEDA) to enter into an agreement for a Housing Enterprise Tax Credit for certain housing businesses that mailed applications to the IEDA prior to the July 1, 2014.

47 30 2. The application forms submitted pursuant to subsection 1
 47 31 were approved by all necessary governing bodies and commissions
 47 32 of the city or county as required by chapter 15E, division
 47 33 XVIII, Code 2014.

47 34 3. The economic development authority determines the
 47 35 housing business would otherwise be eligible under section
 47 36 15E.193B, Code 2014.

47 37 4. The city or county and the eligible housing business meet
 47 38 all other requirements of the housing enterprise tax credit
 47 39 program under chapter 15E, division XVIII, Code 2014, and the
 47 40 agreement to be entered into pursuant to this section.

47 41 Sec. 86. 2014 Iowa Acts, chapter 1130, section 43,
 47 42 subsection 1, is amended to read as follows:

47 43 1. On or after the effective date of this division of this
 48 1 Act, a city or county shall not create an enterprise zone under
 48 2 chapter 15E, division XVIII, or enter into a new agreement or
 48 3 amend an existing agreement under chapter 15E, division XVIII,
 48 4 unless otherwise authorized in this Act.

48 5 Sec. 87. EFFECTIVE UPON ENACTMENT. This division of this
 48 6 Act, being deemed of immediate importance, takes effect upon
 48 7 enactment.

Provides that this Division is effective upon enactment.

48 8 Sec. 88. RETROACTIVE APPLICABILITY. This division of this
 48 9 Act applies retroactively to July 1, 2014.

Provides that this Division applies retroactively to July 1, 2014.

48 10 DIVISION XV
 48 11 COURT DEBT

48 12 Sec. 89. Section 321.40, subsection 9, Code 2015, is amended
 48 13 to read as follows:

48 14 9. a. The clerk of the district court shall notify the
 48 15 county treasurer of any delinquent court debt, as defined in
 48 16 section 602.8107, which is being collected by the ~~centralized~~
 48 17 ~~collection unit of the department of revenue~~ private collection
 48 18 designee pursuant to section 602.8107, subsection 3, or the
 48 19 county attorney pursuant to section 602.8107, subsection
 48 20 4. The county treasurer shall refuse to renew the vehicle
 48 21 registration of the applicant upon such notification from the
 48 22 clerk of the district court in regard to such applicant.

48 23 b. If the applicant enters into or renews ~~a payment plan~~
 48 24 an installment agreement as defined in section 602.8107,
 48 25 that is satisfactory to the ~~centralized collection unit of~~
 48 26 ~~the department of revenue~~ private collection designee, the
 48 27 county attorney, or the county attorney's designee, the
 48 28 ~~centralized collection unit or the county attorney~~ private
 48 29 collection designee, county attorney, or a county attorney's
 48 30 designee shall provide the county treasurer with written or

CODE: Amends the manner in which court debt will be collected by eliminating the Central Collections Unit participation in debt collection and after 30 days, assigning it to a private debt collector. County attorneys will continue to have cases assigned to them after 60 days if the debt has not been placed in a payment plan with the private debt collector.

FISCAL IMPACT: It is estimated that this change will increase General Fund revenues by \$12,000,000 in FY 2016 and \$13,000,000 in FY 2017. A private debt collector will use more aggressive debt collecting practices and have longer access to the newest debt which is easier to collect. The Judicial Branch estimates that the County Attorney collection efforts to be minimal. The growth in court debt collections has averaged more than 8.00% over the last 10 years. Division XXVII of this Bill reduces General Fund revenues by depositing \$2,000,000 per year of court debt in the Judicial Officer Compensation Fund.

48 31 electronic notice of the payment plan installment agreement
48 32 within five days of entering into ~~such a plan~~ the installment
48 33 agreement. The county treasurer shall temporarily lift the
48 34 registration hold on an applicant for a period of ten days
48 35 if the treasurer receives such notice in order to allow the
48 36 applicant to register a vehicle for the year. If the applicant
48 37 remains ~~current in compliance~~ with the ~~payment plan~~ installment
48 38 agreement entered into with the ~~centralized collection unit~~
48 39 private collection designee or the county attorney or the
48 40 county attorney's designee, subsequent lifts of registration
48 41 holds shall be granted without additional restrictions.

48 42 Sec. 90. Section 321.210A, subsection 2, Code 2015, is
48 43 amended to read as follows:

49 1 2. If after suspension, the person enters into an
49 2 installment agreement with the county attorney, the county
49 3 attorney's designee, or the ~~centralized collection unit of the~~
49 4 ~~department of revenue~~ private collection designee in accordance
49 5 with section 321.210B to pay the fine, penalty, court cost,
49 6 or surcharge, the person's license shall be reinstated by the
49 7 department upon receipt of a report of an executed installment
49 8 agreement.

49 9 Sec. 91. Section 321.210B, subsections 1, 3, 8, 9, 11, and
49 10 14, Code 2015, are amended to read as follows:

49 11 1. If a person's fine, penalty, surcharge, or court
49 12 cost is deemed delinquent as provided in section 602.8107,
49 13 subsection 2, and the person's driver's license has been
49 14 suspended pursuant to section 321.210A, the person may execute
49 15 an installment agreement as defined in section 602.8107 with
49 16 the county attorney, the county attorney's designee, or the
49 17 ~~centralized collection unit of the department of revenue~~
49 18 private collection designee under contract with the judicial
49 19 branch pursuant to section 602.8107, subsection 5, to pay
49 20 the delinquent amount and the fee civil penalty assessed in
49 21 subsection 7 in installments. Prior to execution of the
49 22 installment agreement, the person shall provide the county
49 23 attorney, the county attorney's designee, or the ~~centralized~~
49 24 ~~collection unit of the department of revenue~~ private collection
49 25 designee with a financial statement in order for the parties
49 26 to the agreement to determine the amount of the installment
49 27 payments.

49 28 3. The county attorney, the county attorney's designee, or
49 29 the ~~centralized collection unit of the department of revenue~~
49 30 private collection designee shall file or give notice of the
49 31 installment agreement with the clerk of the district court in
49 32 the county where the fine, penalty, surcharge, or court cost
49 33 was imposed, within five days of execution of the agreement.

49 34 8. Upon determination by the county attorney, the county
49 35 attorney's designee, or the ~~centralized collection unit of~~

49 36 ~~the department of revenue private collection designee~~ that
49 37 the person is in default, the county attorney, the county
49 38 attorney's designee, or the ~~centralized collection unit private~~
49 39 collection designee shall notify the clerk of the district
49 40 court.

49 41 9. The clerk of the district court, upon receipt of a
49 42 notification of a default from the county attorney, the county
49 43 attorney's designee, or the ~~centralized collection unit of the~~
50 1 department of revenue private collection designee, shall report
50 2 the default to the department of transportation.

50 3 11. If a new fine, penalty, surcharge, or court cost
50 4 is imposed on a person after the person has executed an
50 5 installment agreement with the county attorney, the county
50 6 attorney's designee, or the ~~centralized collection unit of the~~
50 7 department of revenue private collection designee, and the new
50 8 fine, penalty, surcharge, or court cost is deemed delinquent as
50 9 provided in section 602.8107, subsection 2, and the person's
50 10 driver's license has been suspended pursuant to section
50 11 321.210A, the person may enter into a second installment
50 12 agreement with the county attorney, county attorney's designee,
50 13 or the ~~centralized collection unit of the department of revenue~~
50 14 private collection designee to pay the delinquent amount
50 15 and the fee civil penalty, if assessed, in subsection 7 in
50 16 installments.

50 17 14. Except for a civil penalty assessed and collected
50 18 pursuant to subsection 7, any amount collected under the
50 19 installment agreement by the county attorney or the county
50 20 attorney's designee shall be distributed as provided in
50 21 section 602.8107, subsection 4, and any amount collected by
50 22 the ~~centralized collection unit of the department of revenue~~
50 23 private collection designee shall be deposited with the clerk
50 24 of the district court for distribution under section 602.8108.

50 25 Sec. 92. Section 602.8107, subsection 1, Code 2015, is
50 26 amended to read as follows:

50 27 1. DEFINITION. As used in this section, "~~court debt~~" unless
50 28 the context otherwise requires:

50 29 a. "Court debt" means all fines, penalties, court costs,
50 30 fees, forfeited bail, surcharges under chapter 911, victim
50 31 restitution, court-appointed attorney fees or expenses of a
50 32 public defender ordered pursuant to section 815.9, or fees
50 33 charged pursuant to section 356.7 or 904.108.

50 34 b. "Installment agreement" means an agreement made for the
50 35 payment of court debt in installments.

50 36 c. "Installment payment" means the partial payment of court
50 37 debt which is divided into portions that are made payable at
50 38 different times.

50 39 Sec. 93. Section 602.8107, subsection 3, Code 2015, is
50 40 amended to read as follows:

50 41 3. ~~COLLECTION BY CENTRALIZED COLLECTION UNIT OF DEPARTMENT~~
50 42 ~~OF REVENUE PRIVATE COLLECTION DESIGNEE UNDER CONTRACT WITH THE~~
50 43 ~~JUDICIAL BRANCH .~~

51 1 a. Thirty days after court debt has been assessed, or if an
51 2 installment payment is not received within thirty days after
51 3 the date it is due, the judicial branch shall assign a case to
51 4 the ~~centralized collection unit of the department of revenue or~~
51 5 ~~its designee private collection designee under contract with~~
51 6 ~~the judicial branch pursuant to subsection 5~~ to collect debts
51 7 owed to the clerk of the district court ~~for a period of one~~
51 8 ~~year.~~

51 9 b. In addition, court debt which is being collected under
51 10 an installment agreement pursuant to section 321.210B which is
51 11 in default that remains delinquent shall ~~also be assigned to~~
51 12 ~~the centralized collection unit of the department of revenue~~
51 13 ~~or its designee for a period of one year remain assigned to the~~
51 14 ~~private collection designee if the installment agreement was~~
51 15 ~~executed with the private collection designee; or to the county~~
51 16 ~~attorney or county attorney's designee if the installment~~
51 17 ~~agreement was executed with the county attorney or county~~
51 18 ~~attorney's designee.~~

51 19 c. If a county attorney has filed with the clerk of the
51 20 district court a full commitment to collect delinquent court
51 21 debt pursuant to subsection 4, the court debt in a case shall
51 22 be assigned after sixty days to the county attorney as provided
51 23 in subsection 4, if the court debt in a case ~~has not been placed~~
51 24 ~~in an established payment plan by the centralized collection~~
51 25 ~~unit is not part of an installment agreement with the private~~
51 26 ~~collection designee under contract with the judicial branch~~
51 27 ~~pursuant to subsection 5. For all other delinquent court debt~~
51 28 ~~not assigned to a county attorney pursuant to subsection 4, the~~
51 29 ~~delinquent court debt shall be assigned to a private collection~~
51 30 ~~designee as provided in subsection 5, after one year, if the~~
51 31 ~~delinquent court debt in a case has not been placed in an~~
51 32 ~~established payment plan by the centralized collection unit.~~

51 33 ~~a.~~ The department of revenue may impose a fee established
51 34 by rule to reflect the cost of processing which shall be added
51 35 to the debt owed to the clerk of the district court. Any
51 36 amounts collected by the unit shall first be applied to the
51 37 processing fee. The remaining amounts shall be remitted to the
51 38 clerk of the district court for the county in which the debt
51 39 is owed. The judicial branch may prescribe rules to implement
51 40 this subsection. These rules may provide for remittance of
51 41 processing fees to the department of revenue or its designee.

51 42 ~~b.~~ Satisfaction of the outstanding court debt occurs only
51 43 when all fees or charges and the outstanding court debt is paid
52 1 in full. Payment of the outstanding court debt only shall not
52 2 be considered payment in full for satisfaction purposes.

52 3 Sec. 94. Section 602.8107, subsection 4, paragraph g, Code
52 4 2015, is amended by striking the paragraph.

52 5 Sec. 95. Section 602.8107, subsection 5, paragraph a, Code
52 6 2015, is amended to read as follows:

52 7 a. The judicial branch shall contract with a private
52 8 collection designee for the collection of court debt ~~one year~~
52 9 after the court debt in a case is deemed delinquent pursuant to
52 10 subsection 2 if the county attorney is not collecting the court
52 11 debt in a case pursuant to subsection 4. The judicial branch
52 12 shall solicit requests for proposals prior to entering into any
52 13 contract pursuant to this subsection.

52 14 Sec. 96. Section 602.8107, subsection 5, paragraph e, Code
52 15 2015, is amended by striking the paragraph and inserting in
52 16 lieu thereof the following:

52 17 e. The private collection designee may utilize any debt
52 18 collection methods including but not limited to attachment,
52 19 execution, or garnishment.

52 20 DIVISION XVI
52 21 RESIDENTIAL SWIMMING POOLS

52 22 Sec. 97. RESIDENTIAL SWIMMING POOLS — PRIVATE SWIMMING
52 23 LESSONS. Notwithstanding any provision of law to the
52 24 contrary, the department of public health shall require that
52 25 a residential swimming pool used for private swimming lessons
52 26 for up to two hundred seven hours in a calendar month, or the
52 27 number of hours prescribed by local ordinance applicable to
52 28 such use of a residential swimming pool, whichever is greater,
52 29 be regulated as a residential swimming pool used for commercial
52 30 purposes pursuant to chapter 135I. The department of public
52 31 health may adopt rules to implement this section.

CODE: Requires the Department of Public Health (DPH) to regulate residential swimming pools used for private swimming lessons as a residential swimming pool used for commercial purposes if the swimming pool is used for private swimming lessons for up to 270 hours per month or the number of hours prescribed by local ordinance, whichever is greater.

52 32 Sec. 98. EFFECTIVE UPON ENACTMENT. This division of this
52 33 Act, being deemed of immediate importance, takes effect upon
52 34 enactment.

Provides that this Division is effective upon enactment.

52 35 DIVISION XVII
52 36 ONLINE LEARNING

52 37 Sec. 99. Section 256.7, subsection 32, paragraph c, Code
52 38 2015, is amended to read as follows:

52 39 c. Adopt rules that limit the statewide enrollment of
52 40 pupils in educational instruction and course content that are
52 41 delivered primarily over the internet to not more than eighteen
52 42 one-hundredths of one percent of the statewide enrollment of
52 43 all pupils, and that limit the number of pupils participating
53 1 in open enrollment for purposes of receiving educational
53 2 instruction and course content that are delivered primarily

CODE: Limits the statewide enrollment of pupils in internet instruction to no more than 0.18% of statewide enrollment and no more than 1.00% of a district's enrollment unless the limitation will prevent siblings from enrolling in the same school district or a district determines online instruction will suit the needs of a physically or emotionally fragile student. Requires the Department of Education to annually collect certain data on student performance in online instruction. The data must be included in the Department's annual report to the General Assembly. School districts that provide online

53 3 over the internet to no more than one percent of a sending
 53 4 district's enrollment. Until June 30, ~~2015~~ 2018, ~~students~~
 53 5 ~~such limitations shall not apply if the limitations would~~
 53 6 ~~prevent siblings from enrolling in the same school district or~~
 53 7 ~~if a sending district determines that the educational needs~~
 53 8 ~~of a physically or emotionally fragile student would be best~~
 53 9 ~~served by educational instruction and course content that are~~
 53 10 ~~delivered primarily over the internet. Students who meet~~
 53 11 the requirements of section 282.18 may participate in open
 53 12 enrollment under this paragraph "c" for purposes of enrolling
 53 13 only in the CAM community school district or the Clayton Ridge
 53 14 community school district.

instruction must comply with certain requirements. The Bill delays the sunset on the above listed limitations until July 1, 2018.

53 15 ~~__(01) The department, in collaboration with the~~
 53 16 ~~international association for K-12 online learning, shall~~
 53 17 ~~annually collect data on student performance in educational~~
 53 18 ~~instruction and course content that are delivered primarily~~
 53 19 ~~over the internet pursuant to this paragraph "c". The~~
 53 20 ~~department shall include such data in its annual report to the~~
 53 21 ~~general assembly pursuant to subparagraph (3) and shall post~~
 53 22 ~~the data on the department's internet site.~~

CODE: Requires the Department of Education to work with the International Association for K-12 Online Learning to annually collect data on student performance in educational instruction and course content delivered primarily over the internet. The Department of Education is required to include the data in its annual Online Learning Report to the General Assembly.

53 23 (1) School districts providing educational instruction and
 53 24 course content that are delivered primarily over the internet
 53 25 pursuant to this paragraph "c" shall annually submit to the
 53 26 department, in the manner prescribed by the department, data
 53 27 that includes but is not limited to ~~student~~ the following:
 53 28 __(a) Student achievement and demographic characteristics;
 53 29 retention.
 53 30 __(b) Retention rates, and the
 53 31 __(c) The percentage of enrolled students' active
 53 32 participation in extracurricular activities.
 53 33 __(d) Academic proficiency levels, consistent with
 53 34 requirements applicable to all school districts and accredited
 53 35 nonpublic schools in this state.
 53 36 __(e) Academic growth measures, which shall include either of
 53 37 the following:
 53 38 __(i) Entry and exit assessments in, at a minimum, math
 53 39 and English for elementary and middle school students, and
 53 40 additional subjects, including science, for high school
 53 41 students.
 53 42 __(ii) State-required assessments that track year-over-year
 53 43 improvements in academic proficiency.
 54 1 __(f) Academic mobility. To facilitate the tracking
 54 2 of academic mobility, school districts shall request the
 54 3 following information from the parent or guardian of a student
 54 4 enrolled in educational instruction and course content that
 54 5 are delivered primarily over the internet pursuant to this

CODE: Requires school districts providing educational instruction and course content delivered primarily over the internet to submit a specified set of information annually to the Department of Education.

54 6 paragraph “c”:
54 7 (i) For a student newly enrolling, the reasons for choosing
54 8 such enrollment.
54 9 (ii) For a student terminating enrollment, the reasons for
54 10 terminating such enrollment.
54 11 (g) Student progress toward graduation. Measurement of
54 12 such progress shall account for specific characteristics of
54 13 each enrolled student, including but not limited to age and
54 14 course credit accrued prior to enrollment in educational
54 15 instruction and course content that are delivered primarily
54 16 over the internet pursuant to this paragraph “c”, and shall be
54 17 consistent with evidence-based best practices.
54 18 (2) The department shall conduct annually a survey of not
54 19 less than ten percent of the total number of students enrolled
54 20 as authorized under this paragraph “c” and section 282.18, ~~and~~
54 21 ~~not less than one hundred percent of the students in those~~
54 22 ~~districts who are enrolled as authorized under this paragraph~~
54 23 ~~“c” and section 282.18 and who are eligible for free or reduced~~
54 24 ~~price meals under the federal National School Lunch Act and the~~
54 25 ~~federal Child Nutrition Act of 1966, 42 U.S.C. §§1751-1785, to~~
54 26 ~~determine whether students are enrolled under this paragraph~~
54 27 ~~“c” and section 282.18 to receive educational instruction and~~
54 28 ~~course content primarily over the internet or are students who~~
54 29 ~~are receiving competent private instruction from a licensed~~
54 30 ~~practitioner provided through a school district pursuant to~~
54 31 ~~chapter 299A.~~
54 32 (3) The department shall compile and review the data
54 33 collected pursuant to this paragraph “c” and shall submit its
54 34 findings and recommendations for the continued delivery of
54 35 instruction and course content by school districts pursuant
54 36 to this paragraph “c”, in a report to the general assembly by
54 37 January 15 annually.
54 38 ~~(4) This paragraph “c” is repealed July 1, 2015.~~
54 39 School districts providing educational instruction and
54 40 course content that are delivered primarily over the internet
54 41 pursuant to this paragraph “c” shall comply with the following
54 42 requirements relating to such instruction and content:
54 43 (a) Monitoring and verifying full-time student enrollment,
55 1 timely completion of graduation requirements, course credit
55 2 accrual, and course completion.
55 3 (b) Monitoring and verifying student progress and
55 4 performance in each course through a school-based assessment
55 5 plan that includes submission of coursework and security and
55 6 validity of testing.
55 7 (c) Conducting parent-teacher conferences.
55 8 (d) Administering assessments required by the state to all
55 9 students in a proctored setting and pursuant to state law.

55 10 Sec. 100. EFFECTIVE UPON ENACTMENT. This division of this
 55 11 Act, being deemed of immediate importance, takes effect upon
 55 12 enactment.

Provides that this Division is effective upon enactment.

55 13 Sec. 101. RETROACTIVE APPLICABILITY. Unless otherwise
 55 14 provided, this Act, if approved by the governor on or after
 55 15 July 1, 2015, applies retroactively to June 30, 2015.

Provides that this Bill, if approved by the Governor on or after July 1, 2015, is retroactively applicable to June 30, 2015.

55 16 DIVISION XVIII
 55 17 HEALTH CARRIER DISCLOSURES

55 18 Sec. 102. NEW SECTION 514K.2 HEALTH CARRIER DISCLOSURES
 55 19 — PUBLIC INTERNET SITES.

CODE: Requires a health insurance carrier that provides small group or individual health coverage pursuant to the federal Patient Protection and Affordable Care Act to provide prospective enrollees and current enrollees, licensed insurance producers, and the general public with the following information in a clear and understandable form:

55 20 1. A carrier that provides small group health coverage
 55 21 pursuant to chapter 513B or individual health coverage pursuant
 55 22 to chapter 513C and that offers for sale a policy, contract,
 55 23 or plan that covers the essential health benefits required
 55 24 pursuant to section 1302 of the federal Patient Protection and
 55 25 Affordable Care Act, Pub.L. No.111-148, and its implementing
 55 26 regulations, shall provide to each of its enrollees at the
 55 27 time of enrollment, and shall make available to prospective
 55 28 enrollees and enrollees, insurance producers licensed under
 55 29 chapter 522B, and the general public, on the carrier's
 55 30 internet site, all of the following information in a clear and
 55 31 understandable form for use in comparing policies, contracts,
 55 32 and plans, and coverage and premiums:

- Coverage exclusions and restrictions, including those pertaining to prescription drugs.
- Coinsurance requirements for any service or prescription drug.
- A list of available prescription drugs available and covered by a carrier, physician, or clinic and requirements or prerequisites prior to authorization of use.
- A list of specialists and physicians serving in the carrier's network.
- The appeal process for the denial of coverage.
- Specific guidelines for medications subject to deductible exclusions and out-of-pocket costs.

55 33 a. Any exclusions from coverage and any restrictions on
 55 34 the use or quantity of covered items and services in each
 55 35 category of benefits, including prescription drugs and drugs
 55 36 administered by a physician or clinic.

55 37 b. Any items or services, including prescription drugs, that
 55 38 have a coinsurance requirement where the cost-sharing required
 55 39 depends on the cost of the item or service.

55 40 c. The specific prescription drugs available on the
 55 41 carrier's formulary, the specific prescription drugs covered
 55 42 when furnished by a physician or clinic, and any clinical
 55 43 prerequisites or prior authorization requirements for coverage
 56 1 of the drugs.

56 2 d. The specific types of specialists available in the
 56 3 carrier's network and the specific physicians included in the
 56 4 carrier's network.

56 5 e. The process for an enrollee to appeal a carrier's denial
 56 6 of coverage of an item or service prescribed or ordered by the
 56 7 enrollee's treating physician.

56 8 f. How medications will specifically be included in or
 56 9 excluded from the deductible, including a description of all
 56 10 out-of-pocket costs that may not apply to the deductible for a
 56 11 prescription drug.

56 12 2. The commissioner may adopt rules pursuant to chapter 17A
56 13 to administer this section.

CODE: Permits the Insurance Commissioner to adopt additional rules to administer the previous section.

56 14 3. The commissioner may impose any of the sanctions provided
56 15 under chapter 507B for a violation of this section.

CODE: Allows the Insurance Commissioner to administer sanctions as a result of violations of the provisions of the section.

56 16 Sec. 103.NEW SECTION 514K.3 HEALTH CARE PLAN INTERNAL
56 17 APPEALS PROCESS — DISCLOSURE REQUIREMENTS.

CODE: Requires a health insurance carrier that provides small group or individual health coverage pursuant to the federal Patient Protection and Affordable Care Act to implement and maintain procedures for carrying out an internal claims and appeals process. These procedures include:

56 18 1. A carrier that provides small group health coverage
56 19 pursuant to chapter 513B or individual health coverage pursuant
56 20 to chapter 513C through the issuance of nongrandfathered
56 21 health plans as defined in section 1251 of the federal Patient
56 22 Protection and Affordable Care Act, Pub.L. No.111-148, and
56 23 in 45 C.F.R. §147.140, shall implement and maintain procedures
56 24 for carrying out an effective internal claims and appeals
56 25 process that meets the requirements established pursuant to
56 26 section 2719 of the federal Public Health Service Act, 42
56 27 U.S.C. §300gg-19, and 45 C.F.R. §147.136. The procedures shall
56 28 include but are not limited to all of the following:
56 29 a. Expedited notification to enrollees of benefit
56 30 determinations involving urgent care.
56 31 b. Full and fair internal review of claims and appeals.
56 32 c. Avoidance of conflicts of interest.
56 33 d. Sufficient notice to enrollees, including a description
56 34 of available internal claims and appeals procedures, as well
56 35 as information about how to initiate an appeal of a denial of
56 36 coverage.

- Expedited notification of enrollee benefits under circumstances of urgent care.
- Full and fair review of internal claims and appeals.
- Avoidance of conflict of interest.
- Sufficient information on how an enrollee can begin the appeals process, including help of the internet.

56 37 2. a. A carrier that provides health coverage as described
56 38 in subsection 1 shall maintain written records of all requests
56 39 for internal claims and appeals that are received and for which
56 40 internal review was performed during each calendar year. Such
56 41 records shall be maintained for at least three years.

CODE: Requires the aforementioned carrier to maintain written records of claims and appeals requests received as well as those for an internal review completed during the respective calendar year. Requires records to be kept for at least three years.

56 42 b. A carrier that provides health coverage as described in
56 43 subsection 1 shall submit to the commissioner, upon request, a
57 1 report that includes all of the following:
57 2 (1) The total number of requests for internal review of
57 3 claims and appeals that are received by the carrier each year.
57 4 (2) The average length of time for resolution of each
57 5 request for internal review of a claim or appeal.
57 6 (3) A summary of the types of coverage or cases for which
57 7 internal review of a claim or appeal was requested.
57 8 (4) Any other information required by the commissioner in a
57 9 format specified by rule.

CODE: Requires the aforementioned health insurance carrier to submit a report to the Insurance Commissioner, upon request, that includes the following information:

- Total number of requests for internal review of claims and appeals per calendar year.
- Average length of time to resolution.
- Summary of the types of coverages and cases for which internal review was requested.
- Any other information deemed necessary.

57 10 3. A carrier that provides health coverage as described
 57 11 in subsection 1 shall make available to consumers written
 57 12 notice of the carrier's internal claims and appeals and
 57 13 internal review procedures and shall maintain a toll-free
 57 14 consumer-assistance telephone helpline that offers consumers
 57 15 assistance with the carrier's internal claims and appeals
 57 16 and internal review procedures, including how to initiate,
 57 17 complete, or submit a claim or appeal.

CODE: Requires the aforementioned health insurance carrier to provide the general public with a written notice regarding the following information:

- The internal review of claims and appeals procedure.
- A toll-free telephone number for consumer assistance helpline regarding internal review procedures, including how to initiate, submit, and complete the process.

57 18 4. The commissioner may adopt rules pursuant to chapter 17A
 57 19 to administer this section.

CODE: Permits the Insurance Commissioner to adopt additional rules to administer the above section.

57 20 Sec. 104. APPLICABILITY. This division of this Act is
 57 21 applicable to health insurance policies, contracts, or plans
 57 22 that are delivered, issued for delivery, continued, or renewed
 57 23 on or after January 1, 2016.

Provides that this Division applies to all health insurance policies, contracts, or plans active, continued, or renewed on or after January 1, 2016.

57 24 DIVISION XIX
 57 25 REFUND FRAUD — INCOME TAXES

57 26 Sec. 105. Section 421.17, subsection 23, Code 2015, is
 57 27 amended to read as follows:
 57 28 23. To develop, modify, or contract with vendors to create
 57 29 or administer systems or programs which identify nonfilers of
 57 30 returns or nonpayers of taxes administered by the department
 57 31 and to identify and prevent the issuance of fraudulent or
 57 32 erroneous refunds. Fees for services, reimbursements,
 57 33 costs incurred by the department, or other remuneration
 57 34 may be funded from the amount of tax, penalty, or interest
 57 35 actually collected and shall be paid only after the amount
 57 36 is collected. An amount is appropriated from the amount
 57 37 of tax, penalty, and interest actually collected, not to
 57 38 exceed the amount collected, which is sufficient to pay for
 57 39 services, reimbursement, costs incurred by the department,
 57 40 or other remuneration pursuant to this subsection. Vendors
 57 41 entering into a contract with the department pursuant to this
 57 42 subsection are subject to the requirements and penalties of the
 57 43 confidentiality laws of this state regarding tax information.
 58 1 The director shall report annually to the legislative services
 58 2 agency and the chairpersons and ranking members of the ways
 58 3 and means committees on the amount of costs incurred and paid
 58 4 during the previous fiscal year pursuant to this subsection
 58 5 and the incidence of refund fraud and the costs incurred and
 58 6 amounts prevented from issuance during the previous fiscal year
 58 7 pursuant to this subsection.

CODE: Amends the powers and duties of the Director of the Department of Revenue by adding the responsibility to identify and prevent the issuance of fraudulent and erroneous tax refunds. The Director is authorized to develop, modify, or contract with vendors to address the new duty. Any new expenditure, including contracts with vendors, will be paid through a standing unlimited appropriation used to finance tax collection activities. The required procedures must be in place by January 1, 2016, and the Director must submit a report on this activity to the General Assembly by October 3, 2016.

FISCAL IMPACT: This language is estimated to result in a vendor contract in the amount of \$1,100,000 per year, beginning in FY 2016. The contract will be paid through a standing unlimited appropriation from the State General Fund that is used to finance tax collecting activities. The cost of the vendor contract could be partially or fully offset by reduced tax refunds if the contract is successful in reducing the amount of fraudulent refunds issued and never recovered. Improved fraud detection procedures could result in a reduction in fraudulent refund payments by an estimated \$3,400,000 for a net General Fund benefit of \$2,300,000 annually, beginning with FY 2016.

58 8 Sec. 106. IMPLEMENTATION — REPORT. The director of revenue
 58 9 shall implement the procedures required by this division of
 58 10 this Act no later than January 1, 2016. The director shall
 58 11 submit a report on the director's progress in implementing the
 58 12 procedures required by this division of this Act to the general
 58 13 assembly by October 3, 2016. The report shall include any
 58 14 statutory changes necessary to facilitate the implementation
 58 15 of this division of this Act.

Requires the Director to file a progress report with the General Assembly by October 3, 2016.

58 16 DIVISION XX
 58 17 ANGEL INVESTOR TAX CREDITS

58 18 Sec. 107. Section 2.48, subsection 3, paragraph d,
 58 19 subparagraph (1), Code 2015, is amended to read as follows:
 58 20 (1) Tax credits for investments in qualifying businesses
 58 21 ~~and community-based seed capital funds~~ under chapter 15E,
 58 22 division V.

CODE: Amends the Angel Investor Tax Credits. This includes the Venture Capital Tax Credit and the Qualifying Business or Community-Based Seed Capital Fund Tax Credit.

58 23 Sec. 108. Section 15.119, subsection 2, paragraph d, Code
 58 24 2015, is amended to read as follows:

DETAIL: The fiscal impact of the changes occurs out of the result of making the tax credits refundable for individual taxpayers. However, the total amount of tax credits that may be awarded in a year does not change. Tax credit redemptions are assumed to increase from the current level of 81.5% of awarded credits to 95.0%.

58 25 d. The tax credits for investments in qualifying businesses
 58 26 ~~and community-based seed capital funds~~ issued pursuant to
 58 27 section 15E.43. In allocating tax credits pursuant to this
 58 28 subsection, the authority shall allocate two million dollars
 58 29 for purposes of this paragraph, unless the authority determines
 58 30 that the tax credits awarded will be less than that amount.

FISCAL IMPACT: The fiscal impact of this Division is the result of changing a nonrefundable tax credit program to a refundable program. Refundable tax credits are redeemed more quickly, and at a much higher rate, than nonrefundable tax credits. This change in the redemption pattern reduces net General Fund revenue and impacts the State General Fund balance sheet. It is estimated that this change will reduce General Fund revenue by \$200,000 per year in FY 2018 through FY 2020, and by \$300,000 in FY 2021.

58 31 Sec. 109. Section 15E.41, Code 2015, is amended by striking
 58 32 the section and inserting in lieu thereof the following:

58 33 15E.41 PURPOSE.

58 34 The purpose of this division is to stimulate job growth,
 58 35 create wealth, and accelerate the creation of new ventures by
 58 36 using investment tax credits to incentivize the transfer of
 58 37 capital from investors to entrepreneurs, particularly during
 58 38 early-stage growth.

58 39 Sec. 110. Section 15E.42, Code 2015, is amended by adding
 58 40 the following new subsection:

58 41 NEW SUBSECTION 2A. "Entrepreneurial assistance
 58 42 program" includes the entrepreneur investment awards program
 58 43 administered under section 15E.362, the receipt of services
 59 1 from a service provider engaged pursuant to section 15.411,
 59 2 subsection 1, or the program administered under section 15.411,
 59 3 subsection 2.

59 4 Sec. 111. Section 15E.42, subsection 3, Code 2015, is
 59 5 amended to read as follows:

59 6 3. "Investor" means a person making a cash investment in
 59 7 a qualifying business ~~or in a community-based seed capital~~
 59 8 ~~fund~~. "Investor" does not include a person that holds at least
 59 9 a seventy percent ownership interest as an owner, member, or
 59 10 shareholder in a qualifying business.

59 11 Sec. 112. Section 15E.42, subsection 4, Code 2015, is
59 12 amended by striking the subsection.

59 13 Sec. 113. Section 15E.43, subsections 1 and 2, Code 2015,
59 14 are amended to read as follows:

59 15 1. a. For tax years beginning on or after January 1, ~~2002~~
59 16 2015, a tax credit shall be allowed against the taxes imposed
59 17 in chapter 422, divisions II, III, and V, and in chapter 432,
59 18 and against the moneys and credits tax imposed in section
59 19 533.329, for a portion of a taxpayer's equity investment,
59 20 as provided in subsection 2, in a qualifying business ~~or a~~
59 21 ~~community-based seed capital fund.~~

59 22 b. An individual may claim a tax credit under this
59 23 ~~paragraph~~ section of a partnership, limited liability company,
59 24 S corporation, estate, or trust electing to have income
59 25 taxed directly to the individual. The amount claimed by the
59 26 individual shall be based upon the pro rata share of the
59 27 individual's earnings from the partnership, limited liability
59 28 company, S corporation, estate, or trust.

59 29 ~~b.~~ c. A tax credit shall be allowed only for an investment
59 30 made in the form of cash to purchase equity in a qualifying
59 31 business ~~or in a community-based seed capital fund. A~~
59 32 ~~taxpayer that has received a tax credit for an investment in~~
59 33 ~~a community-based seed capital fund shall not claim the tax~~
59 34 ~~credit prior to the third tax year following the tax year in~~
59 35 ~~which the investment is made. Any tax credit in excess of the~~
59 36 ~~taxpayer's liability for the tax year may be credited to the~~
59 37 ~~tax liability for the following five years or until depleted,~~
59 38 ~~whichever is earlier. A tax credit shall not be carried back~~
59 39 ~~to a tax year prior to the tax year in which the taxpayer~~
59 40 ~~redeems the tax credit.~~

59 41 ~~c.~~ In the case of a tax credit allowed against the taxes
59 42 imposed in chapter 422, division II, where the taxpayer died
59 43 prior to redeeming the entire tax credit, the remaining credit
60 1 ~~can be redeemed on the decedent's final income tax return.~~

60 2 d. For a tax credit claimed against the taxes imposed in
60 3 chapter 422, division II, any tax credit in excess of the
60 4 tax liability is refundable. In lieu of claiming a refund,
60 5 the taxpayer may elect to have the overpayment shown on
60 6 the taxpayer's final, completed return credited to the tax
60 7 liability for the following tax year. For a tax credit claimed
60 8 against the taxes imposed in chapter 422, divisions III and
60 9 V, and in chapter 432, and against the moneys and credits tax
60 10 imposed in section 533.329, any tax credit in excess of the
60 11 taxpayer's liability for the tax year may be credited to the
60 12 tax liability for the following three years or until depleted,
60 13 whichever is earlier. A tax credit shall not be carried back
60 14 to a tax year prior to the tax year in which the taxpayer
60 15 redeems the tax credit.

60 16 2. a.—A The amount of the tax credit shall equal ~~twenty~~
60 17 ~~twenty-five~~ percent of the taxpayer's equity investment.

60 18 b. The maximum amount of a tax credit ~~for an investment~~
60 19 ~~by an investor in any one qualifying business shall be fifty~~
60 20 ~~thousand dollars. Each year, an investor and all affiliates~~
60 21 ~~of the investor shall not claim tax credits under this section~~
60 22 ~~for more than five different investments in five different~~
60 23 ~~qualifying businesses that may be issued per calendar year to a~~
60 24 ~~natural person and the person's spouse or dependent shall not~~
60 25 ~~exceed one hundred thousand dollars combined. For purposes of~~
60 26 ~~this paragraph, a tax credit issued to a partnership, limited~~
60 27 ~~liability company, S corporation, estate, or trust electing to~~
60 28 ~~have income taxed directly to the individual shall be deemed~~
60 29 ~~to be issued to the individual owners based upon the pro rata~~
60 30 ~~share of the individual's earnings from the entity. For~~
60 31 ~~purposes of this paragraph, "dependent" has the same meaning as~~
60 32 ~~provided by the Internal Revenue Code.~~

60 33 c. The maximum amount of tax credits that may be issued
60 34 per calendar year for equity investments in any one qualifying
60 35 business shall not exceed five hundred thousand dollars.

60 36 Sec. 114. Section 15E.43, subsections 5 and 7, Code 2015,
60 37 are amended to read as follows:

60 38 5. A tax credit shall not be ~~transferable~~ transferred to any
60 39 other ~~taxpayer person~~.

60 40 7. The authority shall develop a system for registration
60 41 and ~~authorization~~ issuance of tax credits authorized pursuant
60 42 to this division and shall control distribution of all tax
60 43 ~~credits distributed~~ credit certificates to investors pursuant
61 1 to this division. The authority shall develop rules for the
61 2 qualification and administration of qualifying businesses
61 3 ~~and community-based seed capital funds. The department of~~
61 4 ~~revenue shall adopt these criteria as administrative rules and~~
61 5 ~~any other rules pursuant to chapter 17A as necessary for the~~
61 6 administration of this division.

61 7 Sec. 115. Section 15E.43, subsections 6 and 8, Code 2015,
61 8 are amended by striking the subsections.

61 9 Sec. 116. Section 15E.44, subsection 2, paragraph c, Code
61 10 2015, is amended by striking the paragraph and inserting in
61 11 lieu thereof the following:

61 12 c. The business is participating in an entrepreneurial
61 13 assistance program. The authority may waive this requirement
61 14 if a business establishes that its owners, directors, officers,
61 15 and employees have an appropriate level of experience such
61 16 that participation in an entrepreneurial assistance program
61 17 would not materially change the prospects of the business.
61 18 The authority may consult with outside service providers in
61 19 consideration of such a waiver.

61 20 Sec. 117. Section 15E.44, subsection 2, paragraphs e and f,

61 21 Code 2015, are amended to read as follows:

61 22 e. The business shall not have a net worth that exceeds five

61 23 ~~ten~~ million dollars.

61 24 f. The business shall have secured all of the following at

61 25 the time of application for tax credits:

61 26 (1) At least two investors.

61 27 ~~(2) total Total equity financing, near equity financing,~~

61 28 binding investment commitments, or some combination thereof,

61 29 equal to at least ~~two hundred fifty~~ five hundred thousand

61 30 dollars, ~~from investors. For purposes of this subparagraph,~~

61 31 "investor" includes a person who executes a binding investment

61 32 commitment to a business.

61 33 Sec. 118. Section 15E.46, Code 2015, is amended to read as

61 34 follows:

61 35 ~~15E.46—REPORTS CONFIDENTIALITY ——— REPORTS .~~

61 36 1. Except as provided in subsection 2, all information or

61 37 records in the possession of the authority with respect to

61 38 this division shall be presumed by the authority to be a trade

61 39 secret protected under chapter 550 or common law and shall be

61 40 kept confidential by the authority unless otherwise ordered by

61 41 a court.

61 42 2. All of the following shall be considered public

61 43 information under chapter 22:

62 1 a. The identity of a qualifying business.

62 2 b. The identity of an investor and the qualifying business

62 3 in which the investor made an equity investment.

62 4 c. The number of tax credit certificates issued by the

62 5 authority.

62 6 d. The total dollar amount of tax credits issued by the

62 7 authority.

62 8 3. The authority shall publish an annual report of the

62 9 activities conducted pursuant to this division and shall

62 10 submit the report to the governor and the general assembly.

62 11 The report shall include a listing of eligible qualifying

62 12 businesses and the number of tax credit certificates and the

62 13 amount of tax credits issued by the authority.

62 14 Sec. 119. Section 15E.52, subsection 4, Code 2015, is

62 15 amended to read as follows:

62 16 4. A taxpayer shall not claim a tax credit under this

62 17 section if the taxpayer is a venture capital investment fund

62 18 allocation manager for the Iowa fund of funds created in

62 19 section 15E.65 or an investor that receives a tax credit for

62 20 the same investment in a qualifying business as described in

62 21 section 15E.44 or in a community-based seed capital fund as

62 22 described in section 15E.45, Code 2015.

62 23 Sec. 120. Section 422.11F, subsection 1, Code 2015, is

62 24 amended to read as follows:

62 25 1. The taxes imposed under this division, less the credits

62 26 allowed under section 422.12, shall be reduced by an investment
 62 27 tax credit authorized pursuant to section 15E.43 for an
 62 28 investment in a qualifying business ~~or a community-based seed~~
 62 29 ~~capital fund.~~

62 30 Sec. 121. Section 422.33, subsection 12, paragraph a, Code
 62 31 2015, is amended to read as follows:

62 32 a. The taxes imposed under this division shall be reduced by
 62 33 an investment tax credit authorized pursuant to section 15E.43
 62 34 for an investment in a qualifying business ~~or a community-based~~
 62 35 ~~seed capital fund.~~

62 36 Sec. 122. Section 422.60, subsection 5, paragraph a, Code
 62 37 2015, is amended to read as follows:

62 38 a. The taxes imposed under this division shall be reduced by
 62 39 an investment tax credit authorized pursuant to section 15E.43
 62 40 for an investment in a qualifying business ~~or a community-based~~
 62 41 ~~seed capital fund.~~

62 42 Sec. 123. Section 432.12C, subsection 1, Code 2015, is
 62 43 amended to read as follows:

63 1 1. The tax imposed under this chapter shall be reduced by
 63 2 an investment tax credit authorized pursuant to section 15E.43
 63 3 for an investment in a qualifying business ~~or a community-based~~
 63 4 ~~seed capital fund.~~

63 5 Sec. 124. REPEAL. Section 15E.45, Code 2015, is repealed.

63 6 Sec. 125. TAX CREDIT CLAIMS. Tax credits for equity
 63 7 investments in qualifying businesses made on or after the
 63 8 effective date of this division of this Act shall not be issued
 63 9 by the economic development authority prior to July 1, 2016,
 63 10 and shall not be claimed by a taxpayer prior to September 1,
 63 11 2016.

63 12 Sec. 126. EFFECTIVE UPON ENACTMENT. This division of this
 63 13 Act, being deemed of immediate importance, takes effect upon
 63 14 enactment.

Provides that this Division is effective on enactment

63 15 Sec. 127. APPLICABILITY. Unless otherwise provided in this
 63 16 division of this Act, this division of this Act applies to
 63 17 equity investments in a qualifying business made on or after
 63 18 the effective date of this division of this Act, and equity
 63 19 investments made in a qualifying business or community-based
 63 20 seed capital fund prior to the effective date of this division
 63 21 of this Act shall be governed by sections 15E.41 through
 63 22 15E.46, 422.11F, 422.33, 422.60, 432.12C, and 533.329, Code
 63 23 2015.

Provides that this Division applies to equity investments in a qualifying business made on or after the effective date of this Division. The provisions also apply to equity investments made in a qualifying business or community-based seed capital fund prior to the effective date of this Division.

63 24 Sec. 128. APPLICABILITY. The sections of this division
 63 25 of this Act amending section 15E.44, subsection 2, apply
 63 26 to businesses that submit an application to the economic
 63 27 development authority to be registered as a qualifying business

Provides that this Division applies to businesses that submit an application to the Iowa Economic Development Authority (IEDA) to be registered as a qualifying business on or after the effective of this Division. The same provisions are applied to businesses that submit an

63 28 on or after the effective date of this division of this Act,
 63 29 and businesses that submit an application to the economic
 63 30 development authority to be registered as a qualifying business
 63 31 before the effective date of this division of this Act shall be
 63 32 governed by section 15E.44, subsection 2, Code 2015.

application to the IEDA before the effective date of this Division.

63 33 DIVISION XXI
 63 34 WORKFORCE HOUSING TAX INCENTIVES PROGRAM

63 35 Sec. 129. Section 15.354, subsection 3, paragraph e, Code
 63 36 2015, is amended to read as follows:

CODE: Modifies the tax credit calculation and approval process for the Workforce Housing Tax Incentives Program. The change specifies how the tax credit will be calculated in instances where the average dwelling unit cost exceeds the maximum allowed dwelling unit cost.

63 37 e. (1) Upon review of the examination and verification of
 63 38 the amount of the qualifying new investment, the authority may
 63 39 issue a tax credit certificate to the housing business stating
 63 40 the amount of workforce housing investment tax credits under
 63 41 section 15.355 the eligible housing business may claim.

This Division also modifies the sales tax refund requirements for housing businesses qualifying under the Program by changing the definition of "project completion" to the date when the Economic Development Authority notifies the Department of Revenue that all the requirements under Iowa Code section 15.354 have been met. Under current requirements, "project completion" is defined under Iowa Code section 15.331A(2c). This provision is effective on enactment and applies retroactively to May 30, 2014.

63 42 (2) If upon review of the examination in subparagraph
 64 43 (1) the authority determines that a housing project has
 64 44 incurred project costs in excess of the amount submitted in the
 64 45 application made pursuant to subsection 1, the authority shall
 64 46 do one of the following:

FISCAL IMPACT: The changes to the Program are not expected to have a significant fiscal impact. While the changes potentially allow projects to receive tax credits the projects might not otherwise qualify for, the tax credits involved are part of programs under the Iowa Economic Development Authority (IEDA) aggregate tax credit cap and the credit type (refundable, transferable, nonrefundable) is not changed.

64 47 (a) If the project costs do not cause the housing project's
 64 48 average dwelling unit cost to exceed the applicable maximum
 64 49 amount authorized in section 15.353, subsection 3, the
 64 50 authority may consider the agreement fulfilled and may issue a tax
 64 51 credit certificate.

64 52 (b) If the project costs cause the housing project's
 64 53 average dwelling unit cost to exceed the applicable maximum
 64 54 amount authorized in section 15.353, subsection 3, but does
 64 55 not cause the average dwelling unit cost to exceed one hundred
 64 56 ten percent of such applicable maximum amount, the authority
 64 57 may consider the agreement fulfilled and may issue a tax
 64 58 credit certificate. In such case, the authority shall reduce
 64 59 the amount of tax incentives the eligible housing project
 64 60 may claim under section 15.355, subsections 2 and 3, by the
 64 61 same percentage that the housing project's average dwelling
 64 62 unit cost exceeds the applicable maximum amount under section
 64 63 15.353, subsection 3, and such tax incentive reduction shall
 64 64 be reflected on the tax credit certificate. If the authority
 64 65 issues a certificate pursuant to this subparagraph division,
 64 66 the department of revenue shall accept the certificate
 64 67 notwithstanding that the housing project's average dwelling
 64 68 unit costs exceeds the maximum amount specified in section
 64 69 15.353, subsection 3.

64 70 (c) If the project costs cause the housing project's average
 64 71 dwelling unit cost to exceed one hundred ten percent of the
 64 72 applicable maximum amount authorized in 15.353, subsection 3,
 64 73 the authority shall determine the eligible housing business to

64 31 be in default under the agreement and shall not issue a tax
 64 32 credit certificate.
 64 33 Sec. 130. Section 15.355, subsection 2, Code 2015, is
 64 34 amended to read as follows:
 64 35 2. A housing business may claim a refund of the sales and
 64 36 use taxes paid under chapter 423 that are directly related
 64 37 to a housing project. The refund available pursuant to this
 64 38 subsection shall be as provided in section 15.331A ~~to the~~
 64 39 ~~extent applicable for purposes of this program, excluding~~
 64 40 ~~subsection 2, paragraph "c", of that section. For purposes of~~
 64 41 ~~the program, the term "project completion", as used in section~~
 64 42 ~~15.331A, shall mean the date on which the authority notifies~~
 64 43 ~~the department of revenue that all applicable requirements~~
 65 1 ~~of an agreement entered into pursuant to section 15.354 are~~
 65 2 ~~satisfied.~~

65 3 Sec. 131. EFFECTIVE UPON ENACTMENT. This division of this
 65 4 Act, being deemed of immediate importance, takes effect upon
 65 5 enactment.

Provides that this Division is effective upon enactment.

65 6 Sec. 132. RETROACTIVE APPLICABILITY. This division of this
 65 7 Act applies retroactively to May 30, 2014, for all agreements
 65 8 entered into pursuant to Code section 15.354 on or after that
 65 9 date.

Provides that this Division applies retroactively to May 30, 2014.

65 10 DIVISION XXII
 65 11 MISCELLANEOUS CHANGES TO ECONOMIC DEVELOPMENT AUTHORITY
 65 12 PROGRAMS

65 13 Sec. 133. Section 15.293B, subsection 4, Code 2015, is
 65 14 amended to read as follows:
 65 15 4. A registered project shall be completed within thirty
 65 16 months of the date the project was registered unless the
 65 17 authority, upon recommendation of the council and approval of
 65 18 the board, provides additional time to complete the project.
 65 19 ~~A project shall not be provided more than twelve months of~~
 65 20 ~~additional time.~~ If the registered project is not completed
 65 21 within the time required, the project is not eligible to claim
 65 22 a tax credit provided in section 15.293A.

CODE: Requires the Brownfield Redevelopment Advisory Council to recommend and the Iowa Economic Development Authority (IEDA) Board to provide approval before an IEDA deadline extension can be granted for Redevelopment Tax Credit projects and eliminates a restriction on the length of an extension.

65 23 Sec. 134. SPECIAL PROJECT EXTENSION.
 65 24 Notwithstanding any other provision of law to the contrary,
 65 25 the economic development authority may extend the project
 65 26 completion date for a project awarded tax incentives under both
 65 27 the redevelopment tax credit program in sections 15.293A and
 65 28 15.293B and the housing enterprise zone tax incentives program
 65 29 in section 15E.193B, Code 2014, if the property that is the
 65 30 subject of the project suffered a catastrophic fire during the
 65 31 2014 calendar year.

Permits the IEDA to extend the project completion date for a project awarded tax incentives under both the Redevelopment Tax Credit Program and the Housing Enterprise Zone Tax Incentives Program for a project if the project suffered a catastrophic fire during calendar year 2014.

65 32 Sec. 135. EFFECTIVE UPON ENACTMENT. This division of this
 65 33 Act, being deemed of immediate importance, takes effect upon
 65 34 enactment.

Provides that this Division pertaining to the IEDA programs is effective on enactment.

65 35 Sec. 136. RETROACTIVE APPLICABILITY. The section of this
 65 36 division of this Act amending Code section 15.293B applies
 65 37 retroactively to qualifying redevelopment project agreements
 65 38 entered into on or after July 1, 2010, for which a request for
 65 39 a project extension is submitted to the economic development
 65 40 authority on or after January 1, 2015.

Provides the Section modifying project deadline obligations for IEDA Redevelopment Tax Credits applies retroactively to qualifying agreements entered into on or after July 1, 2010, if a request for a deadline extension is submitted to the IEDA on or after January 1, 2015.

65 41 DIVISION XXIII
 65 42 HUMAN TRAFFICKING

65 43 Sec. 137. Section 702.11, subsection 1, Code 2015, is
 66 1 amended to read as follows:
 66 2 1. A "forcible felony" is any felonious child endangerment,
 66 3 assault, murder, sexual abuse, kidnapping, robbery, human
 66 4 trafficking, arson in the first degree, or burglary in the
 66 5 first degree.

CODE: Enhances the penalty for a felony human trafficking conviction to a forcible felony. An offender convicted of a forcible felony is required to be sentenced to a State prison.

DETAIL: Since the creation of Iowa Code chapter 710A Human Trafficking in 2006, there has been one conviction for the offense of human trafficking.

FISCAL IMPACT: As convictions are rare, the fiscal impact is expected to be minimal.

66 6 Sec. 138. NEW SECTION 710A.6 OUTREACH, PUBLIC AWARENESS,
 66 7 AND TRAINING PROGRAMS.
 66 8 The crime victim assistance division of the department of
 66 9 justice, in cooperation with other governmental agencies and
 66 10 nongovernmental or community organizations, shall develop and
 66 11 conduct outreach, public awareness, and training programs for
 66 12 the general public, law enforcement agencies, first responders,
 66 13 potential victims, and persons conducting or regularly dealing
 66 14 with businesses or other ventures that have a high statistical
 66 15 incidence of debt bondage or forced labor or services. The
 66 16 programs shall train participants to recognize and report
 66 17 incidents of human trafficking and to suppress the demand that
 66 18 fosters exploitation of persons and leads to human trafficking.

CODE: Requires the Crime Victim Assistance Division (CVAD) of the Office of the Attorney General to cooperate with other governmental and nonprofit agencies to develop and conduct outreach, public awareness, and training programs related to human trafficking for certain populations.

FISCAL IMPACT: It is estimated the required training will cost the CVAD an additional \$200,000 annually.

66 19 Sec. 139. Section 915.94, Code 2015, is amended to read as
 66 20 follows:
 66 21 915.94 VICTIM COMPENSATION FUND.
 66 22 A victim compensation fund is established as a separate
 66 23 fund in the state treasury. Moneys deposited in the fund
 66 24 shall be administered by the department and dedicated to and
 66 25 used for the purposes of section 915.41 and this subchapter.
 66 26 In addition, the department may use moneys from the fund

CODE: Permits the CVAD of the Attorney General's Office to use up to \$300,000 per year from the Victim Compensation Fund to provide training to victim service providers, professionals concerning victim service programming, and to provide training concerning homicide, domestic violence, sexual assault, stalking, harassment, and human trafficking.

DETAIL: Current law permits the CVAD to use up to \$100,000 annually

66 27 for the purpose of the department's prosecutor-based victim
 66 28 service coordination, including the duties defined in sections
 66 29 910.3 and 910.6 and this chapter, and for the award of funds
 66 30 to programs that provide services and support to victims of
 66 31 domestic abuse or sexual assault as provided in chapter 236,
 66 32 to victims under section 710A.2, and for the support of an
 66 33 automated victim notification system established in section
 66 34 915.10A. ~~The~~ For each fiscal year, the department may also
 66 35 use up to ~~one~~ three hundred thousand dollars from the fund
 66 36 to provide training for victim service providers, to provide
 66 37 training for related professionals concerning victim service
 66 38 programming, and to provide training concerning homicide,
 66 39 domestic assault, sexual assault, stalking, harassment,
 66 40 and human trafficking as required by section 710A.6.
 66 41 Notwithstanding section 8.33, any balance in the fund on June
 66 42 30 of any fiscal year shall not revert to the general fund of
 66 43 the state.

67 1 Sec. 140. 2012 Iowa Acts, chapter 1138, section 7,
 67 2 subsection 1, is amended to read as follows:
 67 3 1. A mortgage servicing settlement fund is established,
 67 4 separate and apart from all other public moneys or funds of
 67 5 the state, under the control of the department of justice.
 67 6 The department of justice shall deposit moneys received
 67 7 by the department from the joint state-federal mortgage
 67 8 servicing settlement into the fund. The department of
 67 9 justice is authorized to make expenditures of moneys in the
 67 10 fund consistent with the terms of the consent decree signed
 67 11 in federal court on April 5, 2012. Any unencumbered or
 67 12 unobligated moneys remaining in the fund on June 30, 2015,
 67 13 shall be transferred to the ~~general fund of the state~~ human
 67 14 trafficking enforcement fund as established by this 2015 Act.

67 15 Sec. 141. HUMAN TRAFFICKING ENFORCEMENT FUND. A human
 67 16 trafficking enforcement fund is established, separate and apart
 67 17 from all other public moneys or funds of the state, under
 67 18 the control of the department of justice. The department
 67 19 of justice shall deposit unencumbered or unobligated moneys
 67 20 transferred from the mortgage servicing settlement fund
 67 21 into the fund. Moneys in the fund are appropriated to the
 67 22 department of justice for purposes of training local law
 67 23 enforcement, members of the state patrol, county attorneys,
 67 24 judicial officers, juvenile court officers, and public safety
 67 25 answering point personnel about recognizing and reporting
 67 26 incidents of human trafficking. Any moneys remaining in the
 67 27 fund on June 30, 2020, shall be transferred to the general fund
 67 28 of the state.

from the Victim Compensation Fund to provide training to victim service providers.

FISCAL IMPACT: Increasing the spending cap to \$300,000 permits expenditures to increase by \$200,000 annually. The estimated year-end balances for the Victim Compensation Fund are \$4,000,000 in FY 2015, \$4,700,000 in FY 2016, and \$5,500,000 in FY 2017. The increase in authorized expenditures will draw down the projected ending balance by \$200,000 annually in FY 2016 and FY 2017.

CODE: Transfers the FY 2015 ending balance in the Mortgage Servicing Settlement Fund to the newly created Human Trafficking Enforcement Fund. Moneys in this new Fund are appropriated to the Office of the Attorney General to train local and state justice system professionals to recognize and report incidents of human trafficking.

DETAIL: The amount to be transferred in FY 2015 from the Mortgage Servicing Settlement Fund to the Human Trafficking Enforcement Fund is estimated to be \$626,000.

CODE: Creates the Human Trafficking Enforcement Fund under the purview of the Department of Justice. Moneys in this new Fund are to be used to train local and state justice system professionals to recognize and report incidents of human trafficking. Requires that any funds remaining at the end of FY 2020 are transferred to the State General Fund.

67 29 Sec. 142. EFFECTIVE UPON ENACTMENT. The following
 67 30 provision of this division, being deemed of immediate
 67 31 importance, takes effect upon enactment:
 67 32 1. The section of this division of this Act amending 2012
 67 33 Iowa Acts, chapter 1138, section 7, subsection 1.

Provides that this Division pertaining to the Human Trafficking is effective on enactment.

67 34 Sec. 143. RETROACTIVE APPLICABILITY. The following
 67 35 provision of this division, if approved by the governor on or
 67 36 after July 1, 2015, applies retroactively to June 30, 2015:
 67 37 1. The section of this division of this Act amending 2012
 67 38 Iowa Acts, chapter 1138, section 7, subsection 1.

Provides that if the Governor approves this Division on or after July 1, 2015, the provisions in this Division take effect on enactment and apply retroactively to June 30, 2015.

67 39 DIVISION XXIV
 67 40 PUBLIC IMPROVEMENT LOCATION AND UNUSED PORTION OF CONDEMNED
 67 41 PROPERTY

67 42 Sec. 144. Section 6B.2C, Code 2015, is amended to read as
 67 43 follows:

CODE: This Division prohibits a government entity from beginning a project using condemned land without approval of the preliminary or final route or project site of a public improvement by the governing body.

68 1 6B.2C APPROVAL OF THE PUBLIC IMPROVEMENT.
 68 2 The authority to condemn is not conferred, and the
 68 3 condemnation proceedings shall not commence, unless the
 68 4 governing body for the acquiring agency approves a preliminary
 68 5 or final route or site location of the proposed public
 68 6 improvement, approves the use of condemnation, and finds that
 68 7 there is a reasonable expectation the applicant will be able
 68 8 to achieve its public purpose, comply with all applicable
 68 9 standards, and obtain the necessary permits.

68 10 Sec. 145. Section 6B.56, subsection 1, Code 2015, is amended
 68 11 to read as follows:

CODE: Requires that any unused portion of condemned property that the acquiring entity seeks to sell, first be offered to the prior land owner.

68 12 1. If all or a portion of real property condemned pursuant
 68 13 to this chapter is not used for the purpose stated in the
 68 14 application filed pursuant to section 6B.3 and the acquiring
 68 15 agency seeks to dispose of the unused real property, the
 68 16 acquiring agency shall first offer the unused real property for
 68 17 sale to the prior owner of the condemned property as provided
 68 18 in this section. If real property condemned pursuant to this
 68 19 chapter is used for the purpose stated in the application filed
 68 20 pursuant to section 6B.3 and the acquiring agency seeks to
 68 21 dispose of the real property by sale to a private person or
 68 22 entity within five years after acquisition of the property, the
 68 23 acquiring agency shall first offer the property for sale to
 68 24 the prior owner of the condemned property as provided in this
 68 25 section. For purposes of this section, the prior owner of the
 68 26 real property includes the successor in interest of the real
 68 27 property.

68 28 Sec. 146. Section 6B.56, subsection 2, paragraph a, Code
 68 29 2015, is amended to read as follows:

68 30 a. Before the real property described in subsection 1
 68 31 may be offered for sale to the general public, the acquiring
 68 32 agency shall notify the prior owner of ~~the such~~ real property
 68 33 ~~condemned~~ in writing of the acquiring agency's intent to
 68 34 dispose of the real property, of the current appraised value
 68 35 of the real property to be offered for sale, and of the prior
 68 36 owner's right to purchase the real property to be offered for
 68 37 sale within sixty days from the date the notice is served
 68 38 at a price equal to the current appraised value of the real
 68 39 property to be offered for sale or the fair market value of the
 68 40 property to be offered for sale at the time it was acquired by
 68 41 the acquiring agency from the prior owner plus cleanup costs
 68 42 incurred by the acquiring agency for the property to be offered
 68 43 for sale, whichever is less. However, the current appraised
 69 1 value of the real property to be offered for sale shall be the
 69 2 purchase price to be paid by the previous owner if any other
 69 3 amount would result in a loss of federal funding for projects
 69 4 funded in whole or in part with federal funds. The notice sent
 69 5 by the acquiring agency as provided in this subsection shall
 69 6 be filed with the office of the recorder in the county in which
 69 7 the real property is located.

69 8 Sec. 147. Section 6B.56A, subsection 1, Code 2015, is
 69 9 amended to read as follows:
 69 10 1. When five years have elapsed since property was condemned
 69 11 and all or a portion of the property has not been used for the
 69 12 purpose stated in the application filed pursuant to section
 69 13 6B.3, and the acquiring agency has not taken action to dispose
 69 14 of the unused property pursuant to section 6B.56, the acquiring
 69 15 agency shall, within sixty days, adopt a resolution reaffirming
 69 16 the purpose for which the unused property will be used or
 69 17 offering the unused property for sale to the prior owner at
 69 18 a price as provided in section 6B.56. However, if all or a
 69 19 portion of such property was condemned for the creation of a
 69 20 lake subject to the requirements of section 6A.22, subsection
 69 21 2, paragraph "c", subparagraph (1), subparagraph division (0b),
 69 22 the acquiring agency shall not adopt a resolution reaffirming
 69 23 the purpose for which the property was to be used and shall
 69 24 instead adopt a resolution offering the property for sale
 69 25 to the prior owner at a price as provided in section 6B.56.
 69 26 If the resolution adopted approves an offer of sale to the
 69 27 prior owner, the offer shall be made in writing and mailed by
 69 28 certified mail to the prior owner. The prior owner has one
 69 29 hundred eighty days after the offer is mailed to purchase the
 69 30 property from the acquiring agency.

69 31 Sec. 148. EFFECTIVE DATE. This division of this Act takes
 69 32 effect upon enactment.

CODE: Requires that after the lapse of five years since property was condemned and all or a portion of the land has not been used for the stated purpose, the acquiring agency shall either adopt a resolution reaffirming the use of the land or offer the unused property for sale to the prior land owner. However, if the property in question was condemned for the creation of a lake, the acquiring entity shall adopt a resolution offering the property for sale to the prior owner.

Provides that this Division pertaining to the sale of unused property previously condemned is effective on enactment.

69 33 Sec. 149. APPLICABILITY. The section of this division of
 69 34 this Act amending section 6B.2C applies to public improvement
 69 35 projects for which an application under section 6B.3 is filed
 69 36 on or after the effective date of this division of this Act.

Provides that this Division applies to condemned property involving public improvement application filed on or after the effective date.

69 37 Sec. 150. APPLICABILITY. The sections of this division
 69 38 of this Act amending sections 6B.56 and 6B.56A apply to the
 69 39 disposition of condemned property occurring on or after the
 69 40 effective date of this division of this Act.

Provides that this Division applies to the disposition of condemned property occurring on or after the effective date.

69 41 DIVISION XXV
 69 42 CONDEMNATION FOR CREATION OF A LAKE — NUMBER OF ACRES

69 43 Sec. 151. Section 6A.22, subsection 2, paragraph c,
 70 1 subparagraph (1), subparagraph division (b), Code 2015, is
 70 2 amended to read as follows:
 70 3 (b)(i) For purposes of this subparagraph (1), “number of
 70 4 acres justified as necessary for a surface drinking water source”
 70 5 means according to guidelines of the United States natural
 70 6 resource conservation service and according to analyses of
 70 7 surface drinking water capacity needs conducted by one or more
 70 8 registered professional engineers.
 70 9 (ii) For condemnation proceedings for which the application
 70 10 pursuant to section 6B.3 was filed after January 1, 2013, for
 70 11 condemnation of property located in a county with a population
 70 12 of greater than nine thousand two hundred fifty but less than
 70 13 nine thousand three hundred, according to the 2010 federal
 70 14 decennial census, which property sought to be condemned was in
 70 15 whole or in part described in a petition filed under section
 70 16 6A.24, subsection 2, after January 1, 2013, but before January
 70 17 1, 2014, regardless of whether the petitioner was determined by
 70 18 a court to not be a proper acquiring agency, “number of acres
 70 19 justified as necessary for a surface drinking water source”,
 70 20 as determined under subparagraph subdivision (i) shall not
 70 21 exceed the number of acres that would be necessary to provide
 70 22 the amount of drinking water to meet the needs of a population
 70 23 equal to the population of the county where the lake is to be
 70 24 developed or created, according to the most recent federal
 70 25 decennial census.

CODE: Prohibits the number of acres of land acquired using condemnation for the creation of a lake in Clarke County from exceeding the number of acres necessary to provide the needed drinking water.

70 26 Sec. 152. EFFECTIVE UPON ENACTMENT. This division of this
 70 27 Act, being deemed of immediate importance, takes effect upon
 70 28 enactment.

Provides that this Division pertaining to the condemnation of land for the creation of a lake in Clarke County is effective on enactment.

70 29 DIVISION XXVI
 70 30 CONDEMNATION FOR CREATION OF A LAKE — EXISTING SOURCES

70 31 Sec. 153. Section 6A.22, subsection 2, paragraph c,
 70 32 subparagraph (1), Code 2015, is amended by adding the following
 70 33 new subparagraph division:
 70 34 NEW SUBPARAGRAPH DIVISION (0b) For condemnation of
 70 35 property located in a county with a population of greater than
 70 36 nine thousand two hundred fifty but less than nine thousand
 70 37 three hundred, according to the 2010 federal decennial census,
 70 38 prior to making a determination that development or creation
 70 39 of a lake as a surface drinking water source is reasonable
 70 40 and necessary, the acquiring agency shall conduct a review of
 70 41 feasible alternatives to development or creation of a lake as
 70 42 a surface drinking water source. An acquiring agency shall
 70 43 not have the authority to condemn private property for the
 71 1 development or creation of a lake as a surface drinking water
 71 2 source if one or more feasible alternatives to provision of a
 71 3 drinking water source exist. An alternative that results in
 71 4 the physical expansion of an existing drinking water source
 71 5 is presumed to be a feasible alternative to development or
 71 6 creation of a lake as a surface drinking water source. An
 71 7 alternative that supplies drinking water by pipeline or other
 71 8 method of transportation or transmission from an existing
 71 9 source located within or outside this state at a reasonable
 71 10 cost is a feasible alternative to development or creation
 71 11 of a lake as a surface drinking water source. If private
 71 12 property is to be condemned for development or creation of a
 71 13 lake, only that number of acres justified as necessary for a
 71 14 surface drinking water source, and not otherwise acquired, may
 71 15 be condemned. Development or creation of a lake as a surface
 71 16 drinking water source includes all of the following:
 71 17 (i) Construction of the dam, including sites for suitable
 71 18 borrow material and the auxiliary spillway.
 71 19 (ii) The water supply pool.
 71 20 (iii) The sediment pool.
 71 21 (iv) The flood control pool.
 71 22 (v) The floodwater retarding pool.
 71 23 (vi) The surrounding area upstream of the dam no higher in
 71 24 elevation than the top of the dam's elevation.
 71 25 (vii) The appropriate setback distance required by state or
 71 26 federal laws and regulations to protect drinking water supply.

CODE: Requires alternative sources of water to be reviewed within
 Clarke County prior to the condemnation of property for the purpose of
 creating a lake that will be used as a surface drinking water source.

71 27 Sec. 154. EFFECTIVE UPON ENACTMENT. This division of this
 71 28 Act, being deemed of immediate importance, takes effect upon
 71 29 enactment.

Provides that this Division pertaining to the condemnation of land for
 the identifying alternative water sources in Clarke County is effective
 on enactment.

71 30 Sec. 155. APPLICABILITY. This division of this Act applies
 71 31 to projects or condemnation proceedings pending or commenced on
 71 32 or after the effective date of this division of this Act.

Provides that this Division applies to condemnation proceedings
 currently pending or commenced on or after the effective date.

71 33 DIVISION XXVII
 71 34 JUDICIAL OFFICER COMPENSATION FUND
 71 35 Sec. 156. Section 602.1302, subsection 1, Code 2015, is
 71 36 amended to read as follows:
 71 37 1. Except as otherwise provided by sections 602.1303,
 71 38 602.1304, ~~602.1515~~, and 602.8108 or other applicable law, the
 71 39 expenses of operating and maintaining the judicial branch
 71 40 shall be paid out of the general fund of the state from funds
 71 41 appropriated by the general assembly for the judicial branch.
 71 42 State funding shall be phased in as provided in section
 71 43 602.11101.
 72 1 Sec. 157. NEW SECTION 602.1515 JUDICIAL OFFICER
 72 2 COMPENSATION FUND — ESTABLISHED — FUTURE REPEAL.
 72 3 1. A judicial officer compensation fund is created in
 72 4 the state treasury under the control of the judicial branch
 72 5 for the purpose of enhancing judicial officer compensation.
 72 6 Notwithstanding section 602.8108, the state court administrator
 72 7 shall allocate to the treasurer of state for deposit in the
 72 8 judicial officer compensation fund the first two million
 72 9 dollars of the moneys received under section 602.8108,
 72 10 subsection 1, during the fiscal year beginning July 1, 2015,
 72 11 and each fiscal year thereafter. Moneys in the fund shall
 72 12 not be subject to appropriation for any other purpose by the
 72 13 general assembly. The annual salary rate for a judicial
 72 14 officer shall remain at the rate established by 2013 Iowa
 72 15 Acts, chapter 140, section 40, until otherwise provided by the
 72 16 general assembly.
 72 17 2. Moneys in the fund are not subject to section 8.33.
 72 18 Notwithstanding section 12C.7, subsection 2, interest or
 72 19 earnings on moneys in the fund shall be credited to the fund.
 72 20 3. This section is repealed on June 30, 2020.
 72 21 DIVISION XXVIII
 72 22 DISABLED VETERAN HOMESTEAD CREDIT — TRANSFER
 72 23 Sec. 158. DISABLED VETERAN HOMESTEAD CREDIT —
 72 24 TRANSFER. Notwithstanding section 8B.33, subsection 1, and
 72 25 in lieu of the general fund appropriation provided in section
 72 26 425.1 to the extent such appropriation would otherwise fund the
 72 27 payment of homestead credit claims under section 425.15 filed
 72 28 after July 1, 2014, but before July 1, 2015, and considered
 72 29 properly filed for taxes due and payable in the fiscal year
 72 30 beginning July 1, 2015, pursuant to the section of House File
 72 31 616, if enacted, amending 2015 Iowa Acts, House File 166, there
 72 32 is transferred for the fiscal year beginning July 1, 2015,
 72 33 from the lowAccess revolving fund created in section 8B.33 to
 72 34 the homestead credit fund created in section 425.1 an amount
 72 35 necessary to pay homestead credit claims filed after July 1,

CODE: Creates the Judicial Officer Compensation Fund for the purpose of enhancing the compensation of judicial officers. Transfers \$2,000,000 per year from the proceeds collected from judicial fines to the Judicial Officer Compensation Fund. Under current law, this revenue is deposited in the General Fund. The Bill requires the annual salary rate for a judicial officer to remain at the rate established by 2013 Iowa Acts, chapter 140, until otherwise provided by the General Assembly.

Specifies that the moneys in this fund do not revert to any other fund and that the interest earnings are retained in this fund. This provision is repealed on June 30, 2020.

FISCAL IMPACT: This provision will reduce General Fund revenue by \$2,000,000 annually beginning in FY 2016.

Transfers moneys from the lowAccess Revolving Fund to the Homestead Credit Fund in an amount sufficient to pay homestead credit claims in FY 2016 for certain disabled veterans.

FISCAL IMPACT: It is estimated that \$950,000 to \$1,500,000 will be transferred in FY 2016 from the lowAccess Revolving Fund to the Homestead Credit Fund to cover increased homestead credit claims for disabled veterans.

72 36	2014, but before July 1, 2015, and considered properly filed	
72 37	for taxes due and payable in the fiscal year beginning July 1,	
72 38	2015, pursuant to the section of House File 616, if enacted,	
72 39	amending 2015 Iowa Acts, House File 166.	
72 40	Sec. 159. CONTINGENT EFFECTIVENESS. This division of this	Provides that this Division only takes effect if HF 616 (Tax Policy Bill)
72 41	Act takes effect only if the section of House File 616 amending	is enacted.
72 42	2015 Iowa Acts, House File 166, is enacted.	
72 43	Sec. 160. RETROACTIVE APPLICABILITY. This division of this	Provides that the provisions in this Division apply retroactively to
73 1	Act applies retroactively to March 5, 2015.	March 5, 2015.
73 2		
73 3	DIVISION XXIX	
73 4	CONDITIONAL EFFECTIVE DATE AND RETROACTIVE APPLICABILITY	
73 5	PROVISIONS	
73 6	Sec. 161. EFFECTIVE UPON ENACTMENT. Unless otherwise	Provides that if the Governor approves this Bill on or after July 1,
73 7	provided, this Act, if approved by the governor on or after	2015, the Act takes effect upon enactment.
73 8	July 1, 2015, takes effect upon enactment.	
73 9	Sec. 162. RETROACTIVE APPLICABILITY. Unless otherwise	Provides that if approved by the Governor on or after July 1, 2015, this
73 10	provided, this Act, if approved by the governor on or after	Act applies retroactively to July 1, 2015.
73 11	July 1, 2015, applies retroactively to July 1, 2015.	

Standing Appropriations Bill

General Fund

	FY 2016			FY 2017		
	Current Law	SF 510	Total	Current Law	SF 510	Total
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Administrative Services, Dept. of</u>						
Federal Cash Management - Standing	\$ 356,587	\$ 0	\$ 356,587	356,587	0	356,587
Unemployment Compensation - Standing	440,371	0	440,371	440,371	0	440,371
<u>Corrections, Dept. of</u>						
State Cases Court Costs	59,733	0	59,733	59,733	0	59,733
<u>Cultural Affairs, Dept. of</u>						
County Endowment Funding - DCA Grants	520,000	-103,298	416,702	520,000	-311,649	208,351
<u>Economic Development Authority</u>						
Tourism Marketing - Adjusted Gross Receipts	1,124,000	0	1,124,000	1,124,000	0	1,124,000
<u>Education, Dept. of</u>						
Child Development	12,606,196	0	12,606,196	12,606,196	0	12,606,196
Instructional Support	14,800,000	-14,800,000	0	14,800,000	-14,800,000	0
Nonpublic School Transportation	9,960,931	-1,400,000	8,560,931	9,960,931	-1,400,000	8,560,931
Sac Fox Settlement Education	100,000	0	100,000	100,000	0	100,000
State Foundation School Aid	0	0	0	0	0	0
AEA State Aid Reduction	0	-15,000,000	-15,000,000	0	0	0
<u>Executive Council</u>						
Court Costs	59,772	0	59,772	59,772	0	59,772
Public Improvements	39,848	0	39,848	39,848	0	39,848
Drainage Assessment	20,227	0	20,227	20,227	0	20,227
<u>Legislative Branch</u>						
Legislative Branch	38,250,000	-4,223,452	34,026,548	38,250,000	0	38,250,000
<u>Governor</u>						
Interstate Extradition	3,032	0	3,032	3,032	0	3,032
<u>Public Health, Dept. of</u>						
Congenital & Inherited Disorders Registry	232,500	0	232,500	232,500	0	232,500
<u>Human Services, Dept. of</u>						
Commission of Inquiry	1,394	0	1,394	1,394	0	1,394
Nonresident Transfers	67	0	67	67	0	67
Nonresident Commitment Mental Illness	142,802	0	142,802	142,802	0	142,802
Child Abuse Prevention	232,570	0	232,570	232,570	0	232,570

Standing Appropriations Bill

General Fund

	FY 2016			FY 2017		
	Current Law	SF 510	Total	Current Law	SF 510	Total
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Management, Dept. of</u>						
Technology Reinvestment Fund	\$ 17,500,000	\$ 0	\$ 17,500,000	17,500,000	0	17,500,000
Technology Reinvestment Fund - HF 650	-17,500,000	0	-17,500,000	0	0	0
Special Olympics Fund	100,000	0	100,000	100,000	0	100,000
Appeal Board Claims	3,000,000	-3,000,000	0	3,000,000	-3,000,000	0
<u>Judicial Branch</u>						
Operations	0	7,200,000	7,200,000	0	0	0
<u>Public Defense, Dept. of</u>						
Compensation and Expense	344,644	0	344,644	344,644	0	344,644
<u>Public Safety, Department of</u>						
DPS-POR Unfunded Liabilities	5,000,000	0	5,000,000	5,000,000	0	5,000,000
<u>Revenue, Dept. of</u>						
Ag Land Tax Credit - GF	39,100,000	0	39,100,000	39,100,000	0	39,100,000
Homestead Tax Credit Aid - GF	130,800,000	0	130,800,000	130,800,000	0	130,800,000
Homestead Tax Credit Aid - HF 166	600,000	0	600,000	2,400,000	0	2,400,000
Elderly & Disabled Tax Credit - GF	24,000,000	0	24,000,000	24,000,000	0	24,000,000
Printing Cigarette Stamps	124,652	0	124,652	124,652	0	124,652
Military Service Tax Refunds	2,100,000	0	2,100,000	2,100,000	0	2,100,000
Comml/Industrial Prop Tax Replacement	162,056,468	0	162,056,468	152,556,727	0	152,556,727
Comml/Industrial Prop Tax Replacement - HF 666	-9,500,000	0	-9,500,000	0	0	0
Business Property Tax Credit	100,000,000	0	100,000,000	125,000,000	0	125,000,000
Tobacco Reporting Requirements	25,000	-6,584	18,416	25,000	-15,792	9,208
GRAND TOTAL	\$ 536,700,794	\$ -31,333,334	\$ 505,367,460	\$ 581,001,053	\$ -19,527,441	\$ 561,473,612